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[Press Clips] Saturday, January 8 [1994]

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MEMORANDUM FOR THE FILE

DATE: MARCH 1, 1995

FROM: TOM TAGGART JR.

SUBJECT: SPEECHWRITING BOXES

TODAY, I REMOVED FROM ROOM 577, GSA STORAGE, 8 BOXES OF FILES LOCATED IN A FILE CABINET MOVED BY CHERYL REYNOLDS AND HER CREW. I DID THIS AT THE DIRECTION OF WILLIAM ROBERTS, ORM. THESE FILES APPEAR TO BE FROM THE SPEECHWRITING OFFICES OF DAVID KUSNET AND LIZ BOWYER. THESE FILES ARE INVENTORIED AS FOLLOWS:

BOX 1 - ADDRESSES; CORRESPONDENCE; CLINTOONS; BUSINESS CARDS; COMPUTER SERVICE REQUEST FORMS; PRESIDENTIAL LIBRARIES; FACILITY REQUEST FORMS; REQUESTS MADE; INTERN CANDIDATES FALL '93 SPEECHWRITING; INTERN DUTIES; MEMORANDUM FOR THE PRESIDENT (FORMAT IDENTITY); LEAVE APPLICATIONS; OFFICIAL PHOTO REQUESTS; OFFICE OF SPEECHWRITING OUTPUT - REAGAN, BUSH, CLINTON; PAGER ISSUE RECEIPTS; OASIS; PRESIDENTIAL LETTERS; RESOURCE INFORMATION; THE ASK SHAI FILE; SPEECHWRITERS EXAM; SPEECHWRITERS RESUMES; RESUMES SENT IN; SUPPLY STORES; TELEPROMPTER - FILE TRANSFER; TOURS; TRAVEL AUTHORIZATION; TRAVEL FORMS COMPLETED; TRAVEL VOUCHERS; A VISION OF CHANGE FOR AMERICA 2/7/93 CLINTON'S ECONOMIC PLAN; WAVES; WEEKLY SCHEDULES; MONTHLY SCHEDULES; WHITE HOUSE MEMORANDUM; OVERSIZE ATTACHMENTS #4516 NARA #3176

BOX 2 - PRESS CLIPS - 4/1/93 TO 4/30/93
OVERSIZE ATTACHMENTS #4517 NARA #3177

BOX 3 - PRESS CLIPS - 5/1/93 TO 6/3/93
OVERSIZE ATTACHMENTS #4518 NARA #3178

BOX 4 - PRESS CLIPS - JUNE 4, 1993 TO JUNE 30, 1993
OVERSIZE ATTACHMENTS #4519 NARA #3179

BOX 5 - PRESS CLIPS - JULY 1, 1993 TO AUGUST 8, 1993
OVERSIZE ATTACHMENTS #4520 NARA #3180

BOX 6 - PRESS CLIPS - AUGUST 9, 1993 TO SEPTEMBER 30, 1993
OVERSIZE ATTACHMENTS #4521 NARA #3181

BOX 7 - PRESS CLIPS - OCTOBER 1, 1993 TO NOVEMBER 5, 1993
OVERSIZE ATTACHMENTS #4522 NARA #3182

BOX 8 - PRESS CLIPS - JANUARY 8, 1994 TO FEBRUARY 16, 1994
OVERSIZE ATTACHMENTS #4523 NARA #3183
1 Unemployment Numbers Show Slow But Steady Improvement
   Peter Jennings New York 0:30
2 More White Collar Jobs Created in Economic Resurgence
   Jim Angle Washington 1:40
3 Jobs-Crime Connection Made at Conference of Black Leaders
   Michele Norris Washington 2:05
4 Injured Figure Skater Nancy Kerrigan Will Not Skate Tonight
   Peter Jennings New York 0:20
5 Dream of Olympic Gold on Hold for Skater Nancy Kerrigan
   Aaron Brown Detroit 1:50
6 Major Diesel Fuel Spill Hits Beaches of Puerto Rico
   Peter Jennings New York 0:20
7 Wildfires Burning Out of Control in Suburbs of Sydney
   Peter Jennings New York 0:20
8 Administration Defends Slow Approach to Expansion of NATO
   John McWethy Hot Springs, AR 2:10
9 Clinton Makes Funeral Arrangements for Mother in Arkansas
   Peter Jennings Washington 0:10
10 Reno Rejects Calls for Special Prosecutor in Whitewater Case
    Peter Jennings New York 0:15
11 White House Damage Control Team Doing More Damage than Control
    Jim Wooten Hot Springs, AR 2:10
12 Viacom Positions Itself for Possible Paramount Takeover
    Peter Jennings New York 0:15
13 Israel Releases 101 Palestinian Prisoners
    Peter Jennings New York 0:20
14 Bosnia-Herzegovina Sees No End to Violence, Despite Holiday
    Peter Jennings New York 0:30
15 Young Sarajevo Girl's Diary Gets Attention, Saves Life
    Jim Bitterman Paris 2:15
16 Toys for Guns Spokesman Fernando Mateo is Person of Week
    Peter Jennings New York 4:35

17 Olympic Skater Kerrigan Can't Compete After Attack
    Jacqueline Adams Detroit 2:50
18 Long Island Subway Shooter Appears in Court
    Connie Chung New York 0:15
19 Federal Govt to Stop Selling Surplus and Seized Guns to Public
    Jim Stewart Washington 1:45
20 Black Leaders Meet in Washington to Discuss Violence
    Randall Pinkston Washington 2:10
21 US Unemployment Down to 6.4 Percent in December
    Ray Brady New York 1:55
22 Viacom to Merge With Blockbuster; Ups Paramount Bid
    Connie Chung New York 0:20
23 Bosnia Policy Issues Sure to Arise on Clinton Europe Trip
    Rita Braver Washington 1:50
24 Mexican Peasant Rebels Deliver Bomb Threat in Mexico City
    Connie Chung New York 0:20
25 Rains Cause Floods in France
    Connie Chung New York 0:15
26 Out-of-Control Wildfires Destroying Homes in Australia
    Connie Chung New York 1:30
27 Puerto Rico Hit by 30,000-Gallon Oil Spill
    Connie Chung New York 0:20
28 Clinton Admin Pulls Condom Ad Because Spokesman a Convict
    Connie Chung New York 0:20
29 Murder of Gay Man in Conservative East Texas Attracts Scrutiny
    Vicki Mabrey Tyler, Texas 1:55
30 Americans Living on West Bank Oppose PLO-Israeli Peace Pact
    Bob Simon West Bank 3:50
NBC Nightly News

31 December Unemployment Hits 3-Year Low, But Layoffs Announced
Mike Jensen
New York 2:15

32 Supercollider Workers Looking for Work as Project Shuts Down
Jim Cummins
Dallas 1:45

33 American Airlines, Pacific Bell and Food Lion to Cut Jobs
Tom Brokaw
New York 0:25

34 Viacom to Merge With Blockbuster; Hikes Bid for Paramount
Tom Brokaw
New York 0:20

35 Attacked Skater Nancy Kerrigan Out of National Championship
Dawn Fratangelo
Detroit 2:10

36 Black Leaders Meet to Discuss Black-on-Black Crime
Robert Hager
Washington 2:10

37 California Had 19 Percent Increase in Gun Sales Last Year
Tom Brokaw
New York 0:15

38 White House Aide Gergen Bemoans Lack of Decency on Whitewater
Lisa Myers
Washington 2:05

39 Clinton Mourns Mother, Prepares for 2 Major Overseas Summits
Andrea Mitchell
Washington 2:15

40 Worst Fires in 50 Years Storming Australia
Rod Steven
Sydney 1:45

41 Zulu Political Party to Boycott South African Vote
Tom Brokaw
New York 0:15

42 Mexican Peasant Rebellions Show Signs of Moving North
Tom Brokaw
New York 0:10

43 Oil Spill Despoils Puerto Rico’s Scenic Coast
Tom Brokaw
New York 0:15

44 Retired Doctors Operating Free Clinic to Help Poor in S.C.
Bob Dotson
Hilton Head, SC 3:00

45 James O. Gorman of NBC News to Retire After 30 Years
Tom Brokaw
New York 0:10

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The UPI Weekend Report

Snow and rain are blanketing the east coast from Maine to Florida. Behind the precipitation, a bitter cold wave is moving across the Midwest. Temperatures today will be around zero or below from Chicago northward.

In Boston, it's a snowy, icy mess. The airport there was closed this morning.

A United Express commuter plane crashed late last night at the Columbus, Ohio, airport. Five people were killed and three others hurt.

There's no word yet on the possible cause of the crash. The plane hit an unoccupied building near the runway as it landed in Columbus. Its final destination was Washington, D.C.

For the first time, the American Red Cross is issuing a nationwide emergency appeal for blood donations. Supplies are at an all-time low.

The combination of the Christmas season and bad weather is blamed for slowing down blood donations.

Funeral services are set this morning (at 10 a.m. Eastern time) for President Clinton's mother, Virginia Kelley. The services in Hot Springs, Arkansas, will be private... for family and friends only.

Attorney General Janet Reno rejected a Republican call for her to appoint a special counsel... to investigate President Clinton's investment in an Arkansas land development.

Reno says she has turned the case over to career prosecutors in the Justice Department.

A federal prosecutor in Little Rock is asking that a special grand jury be named to carry out the investigation of the land deal and the savings and loan.

Nancy Kerrigan says she's hopeful that skating officials will make an exception, and name her to the Olympic team. She says she believes she can recover from the injuries inflicted by an unknown man with a club... in time to return to the ice at the Olympics next month in Norway.

Other skaters will compete for the Olympic team tonight in Detroit.

By Warren Corbett (UPI)
U.S. Offers Joint Military Games | As Step to Poland's NATO Ties

Move Seeks to Ease Allies' Go-Slow Approach

By PAUL LEWIS
Special to The New York Times

WARSAW, Jan. 7 — The United States told Poland today that NATO was willing to hold joint military exercises with Polish forces in Poland later this year as part of an effort to persuade East European countries to accept a relationship short of full membership in NATO.

The offer was made to President Lech Walesa by Gen. John M. Shalikashvili, Chairman of the Joint Chiefs of Staff, who was born in Poland. He has been on a special mission with Secretary of State Warren Christopher, America's chief United Nations representative, to Eastern Europe to get approval of the "Partnership for Peace" plan, which the 16 NATO nations are expected to adopt at the NATO summit meeting in Brussels next Tuesday. The representative is Czech born.

Secretary of State Warren Christopher told reporters in Washington today that although the NATO plan will be the focus of the meeting, it will also deal with the Bosnian war.

President Clinton is to meet with Mr. Walesa, the leader of the Solidarity, the Czech Republic, and Slovakia in Prague next Wednesday. Mr. Walesa said he would give his response to the NATO offer to Mr. Clinton when he sees him. In recent weeks, the Eastern Europeans have been expressing unhappiness with the NATO plan.

While offering membership at some time in the future, it falls short of their desires for prompt membership in the North Atlantic Treaty Organization, which they have said was necessary to provide them with security against possible Russian moves in the future. General Shalikashvili said he may provide them with security against possible Russian moves in the future. General Shalikashvili said he may make similar offers to the leaders of the other three East European countries when he and Representative Albright visit them individually over the next couple of days.

Holding joint military exercises in the former Soviet bloc would have a symbolic meaning, demonstrating how far these countries have come since throwing off Communism as a ruling ideology in 1989.

Gradual Ties

The Partnership for Peace initiative seeks to avoid antagonizing Russia's belligerent nationalists by inviting the former Communist countries of Eastern Europe to build gradually closer ties with NATO that could eventually lead to membership in the alliance.

Holding joint military exercises in the former Soviet bloc would have a symbolic meaning, demonstrating how far these countries have come since throwing off Communism as a ruling ideology in 1989.

The initiative also reflects President Clinton's judgment that Congress would balk at extending America's defense umbrella any further east at present, and that it would refuse to come to the aid of these countries in the same way it is committed to defend its existing NATO allies.

American officials said the offer to

For Poland, an offer laden with symbolism.

grad Defense Ministers also asked for a clear commitment from NATO that it will let them join the alliance as full members at some time in the future.

General Shalikashvili suggested that NATO in fact give such a commitment at its summit meeting in Brussels next week when it is expected to endorse the initiative formally.

"Our hope is that the NATO summit will say they expected some of the extension of NATO to the democracies of the East," he said at his press conference.

The Only Link Offered

At a brief meeting with Representative Albright and General Shalikashvili, American officials said the Visegrad Defense Ministers appeared resigned to accepting the Partnership for Peace proposal as the only link offered with NATO.

"The sense of the meeting was that it meets their minimum needs but not their maximum needs," American officials said. However, while Poland and Hungary and Slovakia are interested in a joint approach to NATO, the Czech Republic does not want to be held down in its effort to join the alliance and signaled its more independent approach today by only sending its Vice Defense Minister to the meeting.

Diplomats say an understanding developing that joining the Partnership for Peace will eventually lead to full alliance membership for these East European Governments because they will be expected to spend money bringing their military equipment and training up to alliance standards.

Re acted Angrily

Only last Wednesday Russia reacted angrily to a request for immediate NATO membership from Lithuania, the first of the three Baltic states from which it has withdrawn all its forces.

"The President is worried that expanding NATO to new countries in direct proximity to Russian borders will prompt a negative public opinion reaction," President Yeltsin's spokesman said.

Officials here say President Walesa expressed deep concern in his talks with the American team today about the rising tide of nationalist feeling in Russia then made clear he wants the United States to guarantee Poland's safety by promising to admit it to NATO eventually.

Such fears are shared by all the Visegrad countries. President Vaclav Havel of the Czech Republic recently spoke of the possibility "that in Russia the process still enameled of the imperial ambitions of the former Soviet Union would temporarily gain the upper hand."

Under the Partnership for Peace proposal, American officials say all former Warsaw Pact countries, eventually including Russia itself, would be invited to work toward a series of political and military goals that would qualify them for NATO membership.

On the political level these would include parliamentary democracy and adoption of a free market economy. But the military would also be expected to train with regular NATO troops, to acquire compatible equipment to accept ultimate civilian control over its activities and to provide a full public accounting of its spending.
By KEVIN SACK

ALBANY, Jan. 7 — Gov. Mario M. Cuomo announced this evening that he would run this year for a fourth term, saying he wanted the chance to help New York rebound from a recession that has sapped both the state's economic vitality and his own popularity.

Lient. Gov. Stan Lundine, who was Mr. Cuomo's running mate in 1986 and 1990, will run again at Mr. Cuomo's side, the Governor said in a statement.

In the statement, Mr. Cuomo detailed his accomplishments but said he recognized the public was discontented. "I don't need polls to tell me that at this moment the people are concerned and angry, and they are registering their strong disapproval with those of us in command," he said. "I know that makes us underdogs as we enter this race."

The Governor said he saw signs of resurgence in New York, but said his work was unfinished. "At this moment of possibility, I will ask the people for one more opportunity to serve them — an opportunity to complete the job of building the strong, peaceful, prosperous future they deserve," he said.

Approval Rating Low

If the 61-year-old Mr. Cuomo wins and completes another four-year term, he will become the second-longest-serving Governor in New York history, surpassing the 15 years served by Nelson A. Rockefeller. Both the state and national records for gubernatorial longevity are held by New York's first Governor, George Clinton, who served a total of 22 years.

With Mr. Cuomo's approval ratings at 34 percent, his lowest ever, Republican leaders believe he is ripe for defeat. But four years after suffering a humiliating loss in the 1990 gubernatorial race, the party remains wracked by internal division.

It is far from finding a consensus candidate who could also win the critical support of the Conservative Party, which fielded its own candidate in 1990 and split the anti-Cuomo vote with the Republicans; the Governor won that race with 53 percent of the vote. Less than six months before the Republican nominating convention, 12 candidates

Continued on Page 29, Column 1

**CUOMO ANNOUNCES HE WILL RUN AGAIN DESPITE LOW POLLS**

Governor's Aides Say Campaign Will Emphasize Experience, Integrity and Record

**Cuomo Says He Will Seek A 4th Term**

**The Governor asks for the chance 'to complete the job.'**

Governor had $3.1 million in his campaign account as of July, the last filing date with the State Board of Elections. The State Democratic Committee has about $1 million on hand to spend in behalf of Mr. Cuomo and other candidates.

Mr. Cuomo's long-awaited announcement had none of the balloons-and-bunting pageantry usually reserved for such events. It came instead in a three-page statement distributed by his press office at 6:02 P.M., almost too late to make the evening television news.

Friday evenings are usually when Mr. Cuomo, and many other politicians, release statements they hope will be overlooked. That clearly was not the Governor's intent today. But after disclosing his plans to top aides late this morning, Mr. Cuomo had to leave for New York City to tape a television show. With Mr. Cuomo on the road, it took the rest of the afternoon to prepare and release a statement.

**And Now, Consultants**

Republican Party officials lingered in the Capitol for a while to await an announcement. But they declared the next few days were critical, leaving reporters with two statements from the party chairman, William D. Powers, one for either eventuality. "Some people just don't know when to leave," Mr. Powers said in the statement marked "run."

Cuomo aides said they would begin forming a campaign organization immediately. Mr. Gordon and Mr. Cuomo's youngest daughter, Madeline, are expected to have top roles. Andrew J. Zambelli, Mr. Cuomo's chief of staff in Albany, is also expected to be heavily involved.

The Governor's political aides have held discussions in recent weeks with a number of media consultants who might be hired, including David Axelrod of Chicago, Hank Morris of New York City, and Frank Greer and Robert Squier of Washington.

Aides to Mr. Cuomo said they also might consider hiring David Garth, who helped both Edward I. Koch and Rudolph W. Giuliani win mayoral races in New York City. Mr. Garth worked with Mr. Cuomo in his 1978 campaign for lieutenant governor, but ran Mr. Koch's 1977 mayoral campaign and his 1982 gubernatorial campaign against Mr. Cuomo.

**A BID FOR A FOURTH TERM**

Continued From Page 1

are still considering the race. Five others, including Senator Alfonse M. D'Amato, have dropped out of contention, although Mr. D'Amato has said he might re-enter if he thinks no other Republican could beat Mr. Cuomo.

In his statement, Mr. Cuomo revealed little about how he had made his decision, but those who have spoken with him in recent weeks said he seemed to be seriously weighing both options. In several conversations, he asked his advisers whether Mr. Lundine could win if he did not run. He also expressed concerns about the impact of a bloody campaign on his family.

Aides to Mr. Cuomo said their goal in the campaign would be to emphasize the Governor's experience, integrity and record, as well as his plan for bringing New York back to economic strength. The Governor began outlining that plan on Wednesday in a State of the State address that addressed stressed tax cuts, welfare reform, gun control and tougher sentences for criminals.

But the Republicans will also be emphasizing Mr. Cuomo's record, including the loss of 572,000 jobs in the last four years and his lack of success in curbing violent crime.

Al Gordon, chairman of the State Democratic Committee, said he does not expect Mr. Cuomo to face any significant opposition in the Democratic primary in September.

**Other Democrats Demur**

Each of the leading Democrats who had said they would run if Mr. Cuomo did not — former Lient. Gov. Alfred B. DelBello, Geraldine A. Ferraro, the former Vice-Presidential candidate; Brooklyn District Attorney Charles J. Hynes; United States Representative Charles E. Schumer of Brooklyn, and City Council Speaker Peter F. Vallone — said this evening that they would not run against him. Mr. Hynes said he would consider running in a Democratic primary for Attorney General against the incumbent, G. Oliver Koppell.

Mr. Gordon estimated that the 1994 gubernatorial race would cost Mr. Cuomo $7 million to $10 million. The

THE NEW YORK TIMES, SATURDAY, JANUARY 8, 1994
WASHINGTON, Jan. 7 — With their communities so ravaged by crime that even people like Jesse Jackson are saying they sometimes fear encountering young black men on the street, a group of black politicians, sociologists, ministers, celebrities and civil rights leaders met today in what some acknowledge is an increasingly desperate search for answers.

While they agreed the problem is rapidly spinning out of control, they condemned the solution most often offered to deal with it: stiffer prison sentences and more jail cells.

Hard-Line Crime Bill

"We've got to take the initiative, even if it's an uphill struggle, to move government and the country away from this simplistic approach to the crime problem," Representative John Conyers Jr., Democrat of Michigan, said at the conference, which was organized by Mr. Jackson.

The hard-line method is embodied in the crime bill recently passed by the Senate. Participants at the conference, including members of the Congressional Black Caucus, vowed to fight it when the House takes up the measure later this month.

The measure, which has the backing of the Clinton Administration, calls for mandatory minimum prison sentences for certain violent crimes, the construction of more jails, restrictions on death row appeals and permitting prosecutors to charge juveniles as adults for certain Federal crimes. In a marriage of liberal and conservative views on preventing crime, it would also ban certain models of assault weapons and provide money to hire 100,000 more police officers to patrol the nation's streets.

But many conference participants argued that increasing prison sentences and building more jails will not solve the crime problem. They contend that the prison population has nearly tripled since 1980 and yet the crime rate, particularly in black neighborhoods, has continued to rise and that this is a very important conference," said Representative Don Edwards, Democrat of California. "It is the opening shot in one of the great debates we're going to have, not only in 1994, but in the coming decade."

There is growing evidence that crime is becoming an important political and social issue among blacks. In a New York Times/CBS News poll conducted in November, 28 percent of the black respondents, twice the percentage of whites, placed crime and violence as the most important problem facing the country. Last January only 6 percent of black respondents in a similar poll felt that way.

Violence, crime, who best handle it were also important issues in last year's Mayoral race in Detroit and are expected to be important issues in this year's race in Washington. Both cities have black majorities.

"Crime as an issue spilled off the page in any poll you take," said David Axelrod, who was the media adviser for Dennis Archer, the winning candidate in the Detroit race. "If you do today, crime is the No. 1 issue. It's huge."

The increasing concern by blacks about crime reflects the sharp increase in the rate of crime affecting them. According to the Bureau of Criminal Justice Statistics, the number of violent crimes, excluding murder, in which blacks were the victims increased 42 percent from 1980 to 1992, the last year for which this statistics is available. During the same time, the increase for violent crimes in which whites were the victims rose 9 percent.

The figures also indicate that for crimes like murder, rape, robbery and assault, the race of the offender and the victim are the same in the overwhelming majority of the cases.

Violence Seems Normal

Black-on-black crime has become so pervasive, Mr. Jackson said at a news conference here today that "we have come to accept it as normal." During the conference Mr. Jackson noted that there had been four shootings near his residence in Washington in recent months.

But if the conference illuminates an emerging consensus among blacks on the importance of crime, it also provides stark evidence that a meeting of the minds on the solutions may be difficult to reach.

For example, in the conference's opening panel on Thursday night, on violence against women, C. Delores Tucker, head of the National Political Congress of Black Women, said misogynist and inflammatory lyrics of some hip-hop music was provoking abuse against black women. She said her group would be picketing records stores that sold such music.

Ms. Tucker was immediately warned by Laura Murphy-Lee, director of the Washington chapter of the American Civil Liberties Union, that blacks should be careful not to align themselves with right-wing groups that advocate censorship. And a number of people in the audience, including teenagers and college students, said that rap music did not cause violence but only mirrored the experience of many youths in the inner city.

Debate on Young Criminals

And while several attending the conference condemned the provision in the Senate bill that allows juveniles to be charged as adults for certain crimes, that amendment was sponsored by Senator Carol Moseley-Braun, Democrat of Illinois, the lone black in the Senate.

"Everything we see in the black community right now is on the level of exhortation," said Milton Morris, vice president of the Joint Center for Political and Economic Studies which re-searches black-oriented issues. "But in terms of what do we do in policies, strategies and programs, I don't see anything yet. And the truth is it's tough and difficult to find solutions. All the solutions before us are the kind of costly long-term violence prevention efforts that I don't think the society right now has the patience or the will to take on."

By STEVEN A. HOLMES
Special to The New York Times
Big Oil Spill Off Puerto Rico Fouls Beach at Height of Tourist Season

SAN JUAN, P.R., Jan. 7 — A barge carrying more than 1.5 million gallons of heavy diesel oil struck a coral reef off the coast today and began spilling its pungent cargo along the city's premier resort beaches. The 750,000 gallon spill, occurring at the height of the winter tourist season, spread across a mile and a half of turquoise coastline — roughly half the length of the San Juan beachfront. Currents moved the oil and its overpowering, stench westward toward the walled colonial city of Old San Juan, and eastward, toward the Condado and Ocean Park tourist sections, where most of the city's luxury hotels are situated.

Gov. Pedro Roselló, inspecting the area, called the spill "a catastrophe that will have significant impact on tourism."

Transportation Secretary Federico F. Peña, chief of the Coast Guard's parent agency, flew from Washington to San Juan to inspect the damage, accompanied by Carol M. Browner, Administrator of the Environment's Protection Agency, and J. William Kime, the Coast Guard Commandant.

They were met by Governor Roselló and Lieut. Col. Edwin M. Stanton of the Coast Guard, who is in charge of the cleanup.

Colonel Stanton estimated that it would take at least three weeks to clean up the beaches.

BARGE BROKE FREE

The accident occurred in mild weather just before dawn. Investigators believe the line connecting the barge, the Morris J. Burnham, to its tugboat may have broken, allowing the barge to float free and strike the reef.

Colonel Stanton said the barge was owned by New England Marine Services. But The Associated Press, quoting a company official, reported that it was owned by Standard Tank of Bayonne, N.J.

At least two of the nine tanks on the barge ruptured, spilling more than 750,000 gallons of heavy oil, the Coast Guard said. The barge, wedged in the reef about 200 yards off shore, continued to be buffeted by six-foot waves this afternoon.

Coast Guard containment crews were at the scene, but the waves, as well as winds of 10 to 15 miles an hour, prevented them from unloading the barge's remaining oil.

Comdr. Robert Ross of the Coast Guard, who along with Colonel Stanton is working on the cleanup, said the guard would try to bring in a barge with a pump to remove the oil but that it might not be possible because the water by the wrecked barge was so shallow.

"The barge is continuing to lose cargo into the water," Commander Ross said, adding that it was "entirely likely that more damage could occur to the barge."

Although the sides and the main deck were intact, he said there was an unknown amount of damage to the bottom and the internal bulkheads.

TROUNTS ARE MOVED

Hotels near the palm-lined Escambrón beach, including the 678-room Caribe Hilton and the 177-room Radisson Normandie, sent their visitors by bus to other resorts on the island for the day. Beaches used by guests at the hotels were badly affected.

Colonel Stanton said it has not been determined how they could remove the remaining oil from the barge, which was lodged in very shallow water. Lieutenant Sastre, a spokeswoman for the Government's Tourism Office, said 23 percent of all 9,000 hotel rooms on the island are in the affected area. The industry generated $3 billion in revenue last year, of which two-thirds was produced by the hotels, she said. The remainder comes from cruise ships that make San Juan a regular port of call.

The cruise ships tie up in San Juan Bay, about a mile to the west of the oil slick moving largely eastward, it is not expected that the cruise ships will be affected.

JUST BEFORE PEAK OF SEASON

Richard Abati, president of the Puerto Rico Hotel Association, said the spill occurred in what is normally a full in the height of the tourist season.

"Normally, the last three weeks of January are the slowest in the peak season," Mr. Abati said. The season begins just before Christmas, he added, and it slows down a few days after New Year's Day and then reaches its peak in February.

"That should give us enough time to clean everything up," he said. Mr. Abati and other tourism officials said it was too early to determine the financial effect of the spill.

"We have not yet been getting cancellations yet, and it is impossible to determine how many we will get," Mr. Abati said. He added that the Caribe Hilton Hotel had been making arrangements to transfer some of its guests to the Sands and to El San Juan Hotels about six miles to the east of the spill area. Dana and Steve Abbruzzese of Ponce, the island checked into the Caribe Hilton Hotel this morning with their 13-month-old son Nicholas, and after seeing the beach, asked to be moved to another hotel.

LOOKING FOR CLEAN BEACHES

The Caribe Hilton management arranged for them to stay at the Ponce Hilton Hotel in the south coast city of Ponce.

"At least we will not be swimming in oil," said Mrs. Abbruzzese.

Maria Elena Pérez, a spokeswoman for the Caribe Hilton, said several guests had checked out after making their own arrangements.

"Some went to the Conquistador in Fajardo and others went to the Sands and El San Juan Hotels," she said. "The hotels are out of range of the oil slick.

Raul Bustamante, the general manager at the Caribe Hilton, said the hotel had been expecting 86 percent occupancy today and near full occupancy during the weekend.

In addition to making the beaches unusable, the oil is emitting a pungent odor that could sicken people who suffer from respiratory problems, said Colonel Stanton. He said it would be up to the Puerto Rico Department of Health to determine if those living in affected areas should be evacuated.

THE NEW YORK TIMES SATURDAY, JANUARY 9, 1982
U.S. Data Show Moderate Gains In Employment

By ROBERT D. HERSHEY JR.

WASHINGTON, Jan. 7 — The job market strengthened further last month as payrolls swelled by 183,000 and the unemployment rate edged down to 6.4 percent, the Labor Department reported today.

Private analysts called the job gain large enough to support optimistic forecasts for the economy in the early months of 1994 but not so large as to fuel fears that wage increases would spark a new cycle of revived inflation, presumably including the Federal Reserve.

Mr. Clinton, the central bank is widely expected to nudge rates up this year to keep an expanding economy from pushing up prices. So far, however, the Fed lacks compelling evidence that the inflation risk is great enough to do so.

Close to Clinton Goal

The job statistics, the first broad assessment of activity to be published for December, "show the economy in a moderate growth phase," said Lynn Reaser, chief economist at the First Interstate Bancorp in Los Angeles. And no limit to job growth, she added, could double the 1992 pay-roll gain and possibly go close to the Clinton Administration's goal of two million.

A separate report counting the number of people with jobs showed a gain of 2.51 million and a shrinkage of 1.08 million in the ranks of the jobless.

The bond market posted a sharp advance in the wake of the report, driving interest rates lower and bolstering stocks. (Page 39.) The advance continued a rally touched off Thursday when Robert B. Reich, the Secretary of Labor, predicted that payrolls would show a rise of 160,000 to 200,000, a range somewhat below the consensus.

Mr. Reich's estimate turned out to be on target. Katharine G. Abraham, the Commissioner of Labor Statistics, repeated today in an appearance before the Joint Economic Committee of Congress the department's denial that Mr. Reich had knowledge of the figures when he made his comments over the weekend to a forum in Paris.

This meant little to Senator Paul S. Sarbanes of Maryland, a ranking member of the committee and normally a high-profile Democrat. He criticized Mr. Reich for at least appearing to have compromised the secrecy of the statistics, cautioning him to be "sensitive" to the need to preserve the bureau's hard-won reputation for integrity.

While the December labor market results were considered generally encouraging, they also pointed up some areas that have failed to show much improvement or have perhaps begun to lose momentum again.

White House's View

Among these are persistently high levels of people unemployed for six months or more, people working part time who would rather have full-time jobs and people so discouraged about the prospects of finding work they have given up looking for it.

These, said Laura D'Andrea Tyson, chief economic adviser to President Clinton, warrant continued monitoring and concern.

Nonetheless, Ms. Tyson declared not only that the economy was in a "moderate sustained expansion" but also that contrary to a widely shared expectation, the prospect of finding work they think it would be fruitless — remained at the 1.1 million level that has prevailed for more than two years.

Those working part time for economic reasons, she added, rather than by choice, remained at about 6.2 million — another category showing no appreciable improvement for two years.

Jobless Rate in States

Among the 11 biggest states, only New Jersey and Pennsylvania had significant changes in their unemployment rates. The New Jersey rate jumped to 7.1 percent from 6.2 while in Pennsylvania the rate dropped the same amount, to 6.3 percent from 7.2 percent. For New York State, the jobless rate was 7.6 percent, compared with 7.5 percent in November as both employment and the state's labor force eased slightly.

Because of much smaller samples, rates for individual states show much wider swings than does the national rate, with changes of nine-tenths of a point not unusual.

Today's report also showed that the index of aggregate weekly hours, a rate of 6.4 percent in December, the same as initially reported for November but down a statistically insignificant one-tenth of a point from the revised November rate of 6.5 percent. As part of its annual updating of seasonal adjustment factors, the department recalculated all the 1993 months and as a result, November's decline from October was just two-tenths of a point instead of the four-tenths of a point originally reported.

New System A Concern

The introduction of new methodology this month is already proving contentious, with Senator Sarbanes and other Democrats worrying publicly about the reaction to the report on the January job market to be published next Friday, edged up to 125.3 last month from 123.1. There was a decline, however, to 56.9 percent from 60.1 percent in the proportion of women holding jobs, a figure when he made his comments over the weekend to a forum in Paris.

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Nonetheless, Ms. Tyson declared not only that the economy was in a "moderate sustained expansion" but also that contrary to a widely shared view, consumer incomes have been rising enough to support spending at the current pace.

Consumer reenfranchisement is frequently cited as a reason why the economy in the first quarter of 1994 will likely fail to match a fourth-quarter burst that could reach a rate of 5 percent or more.

Buying on Credit

A separate report published by the Federal Reserve today showed consumer installment credit jumping $6.8 billion in November, a bit less than October's $7.66 billion advance. Automobile and revolving loans slowed while loans for other purchases like mobile homes, education and boats expanded sharply.

The gains in payroll jobs last month were concentrated in the service sector as manufacturing and construction, two sectors troubled in October and November, showed little change.

The biggest advance was 36,000 for the personnel supply, or temporary, business, with retail trade showing a gain of 32,000 after a small decline in November. About 70 percent of the new retail jobs were in bars and restaurants, as stores selling general merchandise pruned staffs during the month. Jobs in finance continued to rise, posting an 11,000 gain, and health care added 6,000 jobs.

After a prolonged period of lengthening, the average workweek was unchanged at historically high levels in December for both manufacturing and for the private sector as a whole, the report also showed. This suggested companies might be reaching its limits in how hard they can push existing employees and have begun to hire more part-time workers.

The department's survey of households produced an unemployment rate of 6.4 percent in December, the same as initially reported for November but down a statistically insignificant one-tenth of a point from the revised November rate of 6.5 percent. As part of its annual updating of seasonal adjustment factors, the department recalculated all the 1993 months and as a result, November's decline from October was just two-tenths of a point instead of the four-tenths of a point originally reported.

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The Labor Picture in December

### Unemployment

<table>
<thead>
<tr>
<th>Region</th>
<th>Civilian unemploy. in percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>America</td>
<td>6.4%</td>
</tr>
</tbody>
</table>

### Demographics

<table>
<thead>
<tr>
<th>Category</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>White</td>
<td>5.6%</td>
</tr>
<tr>
<td>Black</td>
<td>11.5%</td>
</tr>
<tr>
<td>Hispanic</td>
<td>10.5%</td>
</tr>
<tr>
<td>Men over 20</td>
<td>5.6%</td>
</tr>
<tr>
<td>Women over 20</td>
<td>5.7%</td>
</tr>
<tr>
<td>Teenagers</td>
<td>17.8%</td>
</tr>
</tbody>
</table>

### State Jobless Rates, in percent

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>8.8</td>
<td>8.6</td>
<td>8.7</td>
</tr>
<tr>
<td>Florida</td>
<td>7.1</td>
<td>6.5</td>
<td>7.0</td>
</tr>
<tr>
<td>Illinois</td>
<td>7.8</td>
<td>5.9</td>
<td>5.6</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>6.9</td>
<td>6.6</td>
<td>6.3</td>
</tr>
<tr>
<td>Michigan</td>
<td>6.9</td>
<td>7.0</td>
<td>7.5</td>
</tr>
<tr>
<td>New Jersey</td>
<td>6.5</td>
<td>6.2</td>
<td>7.1</td>
</tr>
<tr>
<td>New York</td>
<td>7.9</td>
<td>7.5</td>
<td>7.6</td>
</tr>
<tr>
<td>North Carolina</td>
<td>4.8</td>
<td>3.9</td>
<td>4.1</td>
</tr>
<tr>
<td>Ohio</td>
<td>6.6</td>
<td>6.5</td>
<td>6.2</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>7.0</td>
<td>7.2</td>
<td>6.3</td>
</tr>
<tr>
<td>Texas</td>
<td>7.5</td>
<td>6.9</td>
<td>6.4</td>
</tr>
</tbody>
</table>

### Out of Work, in millions

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total</td>
<td>8.2</td>
<td>8.2</td>
<td>8.2</td>
<td>8.2</td>
</tr>
<tr>
<td>Lost job</td>
<td>4.4</td>
<td>4.4</td>
<td>4.4</td>
<td>4.4</td>
</tr>
<tr>
<td>Left job</td>
<td>0.9</td>
<td>0.9</td>
<td>0.9</td>
<td>0.9</td>
</tr>
<tr>
<td>Returning to market</td>
<td>2.0</td>
<td>2.0</td>
<td>2.0</td>
<td>2.0</td>
</tr>
<tr>
<td>New to market</td>
<td>0.8</td>
<td>0.8</td>
<td>0.8</td>
<td>0.8</td>
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</tbody>
</table>

### Hidden Unemployment, in millions

<table>
<thead>
<tr>
<th>Category</th>
<th>Nov.</th>
<th>Dec.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Working part-time for economic reasons</td>
<td>6.2</td>
<td>6.2</td>
</tr>
<tr>
<td>Discouraged workers (4th qtr.)</td>
<td>1.1</td>
<td>1.1</td>
</tr>
</tbody>
</table>

### Number of Weeks

<table>
<thead>
<tr>
<th>Category</th>
<th>Nov.</th>
<th>Dec.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average</td>
<td>16.9</td>
<td>16.2</td>
</tr>
</tbody>
</table>

### Employment

<table>
<thead>
<tr>
<th>Type of Work</th>
<th>Nov.</th>
<th>Dec.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nonfarm</td>
<td>110.9</td>
<td>111.0</td>
</tr>
<tr>
<td>Goods</td>
<td>23.0</td>
<td>23.0</td>
</tr>
<tr>
<td>Services</td>
<td>87.9</td>
<td>88.0</td>
</tr>
<tr>
<td>Agriculture</td>
<td>3.1</td>
<td>3.1</td>
</tr>
<tr>
<td>Military</td>
<td>1.5</td>
<td>1.3</td>
</tr>
</tbody>
</table>

### Average Weekly Hours

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Private</td>
<td>34.5</td>
<td>34.6</td>
<td>34.6</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>41.8</td>
<td>41.7</td>
<td>41.7</td>
</tr>
<tr>
<td>Overtime</td>
<td>4.3</td>
<td>4.4</td>
<td>4.4</td>
</tr>
</tbody>
</table>

**Source:** Bureau of Labor Statistics
WASHINGTON, Jan. 7 - Seeking to quell a political fire, the White House today faced intense Republican calls for an independent prosecutor to investigate the President's handling of a Justice Department investigation into his Arkansas land deals. The savings association was headed by James McDougal, who was also the Clintons' business partner in Whitewater and the investigation and have called for the immediate selection of an independent prosecutor.

By STEPHEN LABATON Special to The New York Times

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"We're trying to get our side of the story out," said one senior official who insisted on not being identified. "A lot of these issues are under way about a wide range of options, including making some documents public." The Huuse Republican leader, Bob H. Michel of Illinois, urged Mr. Reno to ask the President to waive the statute of limitations so that such records could be subpoenaed.

The spokesman, Carl Stem, also denied the news reports today that said Ms. Reno was in talks with the Department of Justice about a special counsel in the Whitewater investigation. "We're trying to get our side of the story out," said one senior official who insisted on not being identified. "A lot of these issues are under way about a wide range of options, including making some documents public." The Huuse Republican leader, Bob H. Michel of Illinois, urged Mr. Reno to ask the President to waive the statute of limitations so that such records could be subpoenaed.

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President Grieves and Reminiscences With Friend

President Clinton returned today to the hometown with his brother, Roger, and Mrs. Kelley's husband, Richard, to bury a place where Mrs. Kelley lay to rest early to attract her old friends, including the First Family. Oaklawn mourns the loss of a father, No. 1 Fan.

This is the third time Mr. Clinton had attended the funeral of a president's mother.

Another sad trek to Arkansas for the President.

Vigor Masked Illness of Clinton's Mother

By Lawrence K. Altman Special to The New York Times

WASHINGTON, Jan. 7 — Contrary to the impression she created in recent public appearances that her health was fine, Virginia Clinton Kelley, President Clinton's mother, who died on Thursday of complications from breast cancer, had been under medical supervision over the last several months and had been receiving intensive treatment for her condition.

But up to the moments she died in her sleep at home in Hot Springs, Ark., a family member said today, Mrs. Kelley, who was 76, displayed an indomitable spirit, pushing herself to the limit and seldom discussing her battle against breast cancer.

Mrs. Kelley had a mastectomy in the summer of 1990, after her breast cancer was detected during a routine physical examination.

Episodes of Bleeding

Over the last several months she had major episodes of bleeding. Clay Farrar, her husband's son-in-law, said in an interview. She received blood transfusions every few days, with increasing frequency over the last three months. And she had been extremely fatigued in recent days.

"It was clear to us in the family that she took a definite turn for the worse six months ago, but she didn't talk about it, in the sense that she did not want to discuss it as a problem," said Mr. Farrar, who said he had been asked by the White House to speak for the family.

But, he added, "it was clear that they watched her up, that suddenly she was getting more aggressive therapy. It is not known whether she had been part of any experimental study.

Although Mrs. Kelley's health was getting worse, her death still came as a shock to family members, Mr. Farrar said, in part because of the active schedule she had kept in recent days.

Mrs. Kelley continued to go to the racetrack and to travel. "She was going somewhere every 10 days or so," Mr. Farrar said, "she was quite active despite a level of illness that would probably slow down 10 people, and she was the one person that did not slow down."

Needed a Wheelchair

Mrs. Kelley spent Christmas at the home and played to Mr. Clinton in Hot Springs before flying to Las Vegas, Nev., for a Barbara Streisand concert over the New Year's weekend.

She needed a wheelchair to get to the long stretches at the airport in Washington trip but not in the White House, said Mr. Farrar, who also went on the trip. "Walking anything more than 100 to 200 feet fatigued her."

In Las Vegas, Mrs. Kelley used a wheelchair for long distances in the hotel. On Monday she flew home to Hot Springs, where she received most of her medical care. Although Mr. Farrar said she did not know what therapy she had received, last March Mrs. Kelley told a breast-cancer advocacy group that she was being treated for bone marrow to destroy the cells that form platelets. The effects of anti-cancer drugs can also cause a drop in the number of platelets.

"Fatigued as I Ever Get"

A few hours before her death, Mrs. Kelley told a friend, "I am as fatigued as I ever get."

On Wednesday evening, Mrs. Kelley checked on her shortly after midnight as she had done, the paramedics and sheriff arrived quickly. Dr. Mashburn said that in filling out Mrs. Kelley's chart, he did not know what therapy she had received, and he described her death as a "mystery." He said that in filling out Mrs. Kelley's chart, he did not know what therapy she had received, and he described her death as a "mystery." He said that in filling out Mrs. Kelley's chart, he did not know what therapy she had received, and he described her death as a "mystery." He said that in filling out Mrs. Kelley's chart, he did not know what therapy she had received, and he described her death as a "mystery." He said that in filling out Mrs. Kelley's chart, he did not know what therapy she had received, and he described her death as a "mystery." He said that in filling out Mrs. Kelley's chart, he did not know what therapy she had received, and he described her death as a "mystery." He said that in filling out Mrs. Kelley's chart, he did not know what therapy she had received, and he described her death as a "mystery." He said that in filling out Mrs. Kelley's chart, he did not know what therapy she had received, and he described her death as a "mystery." He said that in filling out Mrs. Kelley's chart, he did not know what therapy she had received, and he described her death as a "mystery." He said that in filling out Mrs. Kelley's chart, he did not know what therapy she had received, and he described her death as a "mystery." He said that in filling out Mrs. Kelley's chart, he did not know what therapy she had received, and he described her death as a "mystery." He said that in filling out Mrs. Kelley's chart, he did not know what therapy she had received, and he described her death as a "mystery." He said that in filling out Mrs. Kelley's chart, he did not know what therapy she had received, and he described her death as a "mystery." He said that in filling out Mrs. Kelley's chart, he did not know what therapy she had received, and he described her death as a "mystery." He said that in filling out Mrs. Kelley's chart, he did not know what therapy she had received, and he described her death as a "mystery." He said that in filling out Mrs. Kelley's chart, he did not know what therapy she had received, and he described her death as a "mystery."

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Dr. Mashburn said that when Mrs. Kelley checked on her shortly after midnight, she had stopped breathing. He called 911. The paramedics and sheriff arrived quickly but found her dead. Dr. Mashburn arrived soon after.

"Dick Kelley then called the President," Mr. Farrar said. Mr. Clinton called Mr. Farrar and asked him to go to his mother's home. "Mrs. Kelley was fairly calm but none of us thought that she was going to sleep and die Wednesday night," Mr. Farrar said. "Mrs. Kelley was a puzzle to the family."

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"Dick Kelley then called the President," Mr. Farrar said. Mr. Clinton called Mr. Farrar and asked him to go to his mother's home. "Mrs. Kelley was fairly calm but none of us thought that she was going to sleep and die Wednesday night," Mr. Farrar said. "Mrs. Kelley was a puzzle to the family."

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In what gay rights advocates considered a setback, a Federal appeals court today decided to reconsider a ruling that had struck down the military's ban on homosexuals. Conservative judges on the United States Court of Appeals for the District of Columbia Circuit wiped out a decision by three of their liberal colleagues and ordered the case reheard.

Article, page 7.

Appeals Court to Reconsider
A Right to Bar Gay Troops

WASHINGTON, Jan. 7 — In what gay rights advocates considered a setback, a Federal appeals court today decided to reconsider a ruling that had struck down the military's ban on homosexuals. Conservative judges on the United States Court of Appeals for the District of Columbia Circuit wiped out a decision by three of their liberal colleagues and ordered the case reheard.

In the end, the Solicitor General, Drew S. Days 3d, asked the appeals court to consider only a narrow issue: whether, under the principle of separation of powers, the appellate panel exceeded its authority by ordering the Navy to commission the midshipman.

But today's action clearly indicates that the full appeals court will hear arguments from both the Government and the midshipman about the broader constitutional question of whether the military can discriminate against homosexuals.

"The action by the Court of Appeals is not what we asked for or what we expected, but we do not consider it an adverse development," said a senior Pentagon official.

Gay rights organizations, however, were stunned at the ruling.

"This is definitely a real blow," said William Rubenstein, director of the lesbian and gay rights project of the American Civil Liberties Union.

The Court of Appeals for the District of Columbia is ideologically riven. The November opinion was written by its three most liberal members: Chief Judge Abner J. Mikva and Judges Patricia Wald and Harry T. Edwards. Those judges, who were randomly selected for the Steffan case, were appointed by President Jimmy Carter.

The other seven judges, who were appointed by Presidents Ronald Reagan and George Bush, are often at odds with them.

"The Justice Department was worried that it couldn't get a favorable ruling on this matter," said a senior Senate official familiar with the case. "Here the judges on the new panel would not have voted for or what we merely to affirm it."

The panel ruling in November ordered the Navy to commission Mr. Steffan and grant him his diploma. Mr. Steffan was forced to resign from the Naval Academy six weeks before graduation in 1987 because he had acknowledged that he was gay.

In acting on its own, the full court strongly signaled its inclination to uphold the old military policy. That is important because the Pentagon's new regulations on homosexuals, which take effect Feb. 5, share many similarities with the old policy.

The three-judge panel had said that the equal-protection guarantee of the Constitution did not allow the military to remove a midshipman merely for asserting under questioning that he was a homosexual. While the judges specifically said they were ruling only on the old policy, their decision casts doubt on the new policy because it also permits the military to dismiss service members who say they are gay.

Divided Administration

Underlying the legal maneuvers at the appeals court is a fierce debate in the Administration over how to proceed on the case. Pentagon lawyers had wanted to appeal the three-judge panel's ruling. But many officials in the Justice Department were uncomfortable defending a policy that had been criticized by Mr. Clinton when he was campaigning.

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JUDGES APPROVE REPORT'S RELEASE

WASHINGTON, Jan. 7 — A Federal appeals court today ordered publica­

tion of the Iran-Contra report written by independent counsel Lawrence E. Walsh, the court's ruling to­

day makes the report's eventual re­

lease in unexpurgated form more like­

ly- I

In the opinion, a special panel of the Federal Court of Appeals for the

District of Columbia Circuit. "There­

fore, rather than extend the contro­

versy over the supposed, reported, or

suspected contents of the report, we

have determined that the public inter­

est will be served by actual disclo­

sure."
U.S. Would Temper Oil-Spill Damage Calculation

By JOHN H. CUSHMAN JR. Special to The New York Times

WASHINGTON, Jan. 7 — Dealing a setback to environmentalists, the Clinton Administration today called for a "conservative approach" to calculating how much compensation polluters should pay after oil spills.

Environmentalists said the proposal threatened to blunt one of their most important weapons as they seek compensation from polluters.

But the Administration said it would be better to underestimate environmental damage than to overestimate it by relying too heavily on a complex and innovative calculation that assigns a dollar value to wild species or natural resources that are not actually bought or sold.

The calculation, called "contingent valuation," uses opinion surveys to determine a dollar value to wild species or natural resources that are not actually bought or sold.

The calculation was endorsed by an advisory panel of economists, who told the Government that it could be useful if it was applied carefully.

But the rules proposed today are considerably more cautious than the panel's endorsement. For example, the proposal suggests discounting by 50 percent the value that people attach to unsold resources.

Wider Applications

The proposal disappointed conservationists, who have tried to assess the value of environmental damage to a commercially valuable asset, like oil well, it is much harder to calculate the damage to, say, a remote coral reef. This is the problem that the new method is meant to address.

The method was endorsed two years ago by an advisory panel of economists, including two Nobel laureates, who told the Government that it could be useful if it was applied carefully.

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China Reacts
In Dispute Over Textiles

By THOMAS L. FRIEDMAN
Special to The New York Times
WASHINGTON, Jan. 7 — China threatened the United States today with sanctions for slashing by $1 billion the amount of textile goods it can export to America, but also signaled that it might be open to negotiation if it were given the chance.

"We're continuing to urge that on the Chinese, and hopefully that can be worked out, that they come to us and negotiate a statement on that and we'll make some effective pressures," Mr. Bentsen said. "That's one of the reasons that even though the agreement has expired, some time has been left there for negotiation with the Chinese.

The Clinton Administration today formally lifted its ban on the sale of three satellites to China, after Beijing agreed to start talks on limiting the sale of its missiles and missile technology, the State Department said. Licenses for the launching of the satellites, which are valued at $200 million by their manufacturers, Martin Marietta and the Hughes Aircraft Unit of General Motors, had been frozen because of trade sanctions imposed on Aug. 25 by Washington for China's sale of M-11 missile technology to Pakistan.

First Move Is China's

Despite the gesture on satellites, Administration officials maintained that it was up to the Chinese to make the first move on textiles.

"We have said all along that we want to negotiate a bilateral agreement," Mickey Kantor, the United States trade representative, said. "And we are open to do so whenever the Chinese Government takes a step forward. But unless and until we reach a satisfactory agreement, these new quota reductions are going to go into effect."

The Chinese do this to get around the quotas that the United States imposed on their exports of sweaters, shirts, industrial cloths and other textiles. To punish Beijing for not following the illicit exports, the Administration has cut China's quota by about a third.

There's still some time, obviously, for negotiation in there," Mr. Bentsen said at a news conference to discuss Asian trade before his trip to Indonesia. "There is a big importer of American aircraft, agricultural products, machinery and textile technology.

"If the U.S. side persists in going its own way, this will force our side to take corresponding and retaliatory measures," the statement said.

It added, though, that China "will continue to talk according to the original plan and solve problems through negotiations."

The decision by the Clinton Administration to lift the ban on the satellites was "an important step," the state-run New China News Agency quoted a trade ministry spokesman as saying. The agency quoted Chinese officials as saying that American consumers would be hurt by the reduced quota.

Retaliation Possible

The statement by the spokesman said that China would retaliate if Washington followed through on punishing cuts to Beijing's textile exports, but it did not say how.

"China is a big importer of American aircraft, agricultural products, machinery and textile technology."

\"If the U.S. side persists in going its own way, this will force our side to take corresponding and retaliatory measures,\" the statement said.

Some traders said the December data brought heavy trading volume with a 66.68-point advance. By Thursday, for instance, the 30-year bond's yield had fallen to 6.34 from 6.40 percent on the previous day that the 30-year bond's yield declined significantly. In Thursday, it fell to 6.34 from 6.40 percent on the basis of Labor Secretary Robert B. Reich that the unemployment report would show that fewer jobs were created in December than Wall Street had expected.

The Labor Department said nonfarm payroll growth jumped 183,000 jobs, though perhaps a bit lower going into the consumer price index. And the number of new jobs Wall Street economists had expected, Mr. Reich had said 150,000 to 200,000 jobs were to be added payroll in December.

Jobless Rate at 6.4%

The unemployment rate fell to 6.4 percent, a three-year low.

Some traders said the December jobs number was the first of other major economic indicators that expansion had moderated late in the year, and that could lead to still lower interest rates.

"Interest rates are likely to head lower going into the consumer price index expectations. October's number was lowered to a 27.7 billion increase, from 81.1 billion originally. The relief over the employment numbers brought heavy trading volume with a 66.68-point advance. By Thursday, for instance, the 30-year bond's yield had fallen to 6.34 from 6.40 percent on the basis of Labor Secretary Robert B. Reich that the unemployment report would show that fewer jobs were created in December than Wall Street had expected. The Labor Department said nonfarm payroll growth jumped 183,000 jobs, though perhaps a bit lower going into the consumer price index. And the number of new jobs Wall Street economists had expected, Mr. Reich had said 150,000 to 200,000 jobs were to be added payroll in December.

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Economics of Equality: A New View

Income Gaps and Growth

The relationship between economic growth and income inequality in selected countries between 1965 and 1989, based on the average annual change in gross domestic product and the ratio of the income of the top 20 percent of the population to that of the bottom 20 percent. A high growth rate, rate of growth of per capita income, and the ratio of the gains, the income of its elite is 27 times that of its poorest citizens. The empirical results are very fragile," said Robert Barro of Harvard. And the seemingly egalitarian former Soviet Union is the world's most compelling example of how the logic of economic growth can lead to hardship and to instability. The statistic is widely interpreted as a measure of the effectiveness of a country's economic policies, with higher values indicating better performance.

Income inequality ratio, or how many times as rich the wealthiest 20 percent of the population is, compared with the poorest 20 percent.

BOSTON, Jan. 5 — Most economists long believed that poor countries that wanted to grow rapidly had to expect a widening gap between the haves and have-nots. And during the Reagan era, many thought the same principle applied to wealthy nations like the United States, seeing tax cuts at the top as the best way to revive investment.

But many economists are now revising their views, having begun to see greater income equality as compatible with faster growth — and perhaps even contributing to it. That change was much in evidence at the American Economics Association conference here this week, where a dozen or so sessions focused on inequality.

"It's a very major shift in economists' perspectives," Joseph Stiglitz, a member of President Clinton's Council of Economic Advisers, said. "There are lessons here for the United States," he added. Income disparities have been widening in the last two decades and growth has slowed, from the rates of the 1960's and 70's. "Not only did trickle-down economics not solve the problems of the poor or the middle class, but it was bad growth policy."

Inspiration From Asia

The new perspective is already influencing the advice that international agencies offer governments from Brazil and Mexico to the former Soviet Union.

Economists who have been studying the links between growth and equality, like Nancy Birdsall, the executive vice president of the Inter-American Development Bank, and Richard Sabot of Williams College, have been struck by the success of Asia's miracle economies, where the incomes of workers and peasants have grown more rapidly than those of executives and entrepreneurs — and the contrasts of those countries with others in Latin America and Africa where the incomes of those at the bottom have plunged.

"Growing inequality isn't a necessary byproduct of success," said Ms. Birdsall, who conducted some of the research that is changing people's perceptions. "If you have the right policies, then you can emphasize universal education — you can have higher growth and lower inequality."

For example, in South Korea, for example, where per capita income has grown rapidly, the most affluent fifth of the population has seen only about seven times as much income as the poorest fifth. The gap has been shrinking fairly steadily since the 1960's.

In Peru, however, where an average worker's income is barely higher than in 1965, the top fifth of the population holds 17 times the purchasing power of the poorest fifth.

Some researchers at the meeting argued that in Asian countries, there was a direct cause-and-effect link between faster growth and policies that reduce inequality. "One of the strongest lessons from Asia is that equality is not only a corollary, but may actually stimulate economic growth," said Michael Spence of the Wharton School, one of the co-author of a study with Ms. Birdsall, "Inequality and Growth Reconsidered."

The impact of less inequality is potentially large, they said. They estimated that reducing by a third the gap between the incomes of the richest and poorest households in a country could add seven-tenths of a percent to the growth rate of per capita income, year after year. Most countries' per capita income rises less than 2 percent a year.

Other economists, who argue that the old consensus is obsolete, said such results had to be interpreted with caution. Even if there was a cause-and-effect relationship, Robert Lucas of the University of Chicago said, telling Mexico to adopt the Korean model is like telling an aspiring basketball player to adopt Michael Jordan's shooting style.

There are, moreover, plenty of exceptions. For example, Indonesia's tiny diamond-producing nation, had one of the world's fastest-rising living standards for decades. But, while nearly everyone has shared in the gains, the income of its elite is 27 times that of its poorest citizens.

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"Even when the poor see there's a big payoff to investing in their children, they often can't afford to make those investments," Professor Sabot said. The way that countries reduce inequality matter greatly, the researchers emphasized.

Asian countries did not rely on Robin Hood policies that frequently stifle entrepreneurship and investment. Instead, Asian governments directed those that gave poor people the incentive as well as the means to improve their own earning power: access to high school education, especially for women, in Singapore; land reform in Korea, and export promotion that raised the demand for unskilled factory workers, many fresh off the farm, in Malaysia.

The old view, established in the 1950's by the growth economists Nicholas Kaldor and Simon Kuznets, was largely based on the experience of the United States, Britain and many developed countries before the war. The thinking was that during the period of development, nations had to pay the price of rising inequality; the opportunity to get rich provided incentives for entrepreneurs to accumulate the capital needed for industrialization.

But the new research suggests that such logic omits the important role that poor people play in the development process, and Ms. Birdsall and Professor Sabot offer three reasons why declining inequality may foster growth.

For one thing, at any given level of income, those at the bottom of the scale have more income — often two and three times as much — and therefore can invest in "human capital" like literacy or better health. What researchers have largely overlooked until recently is that poor people in poor countries "save" by devoting more of their families' resources to children, feeding them better, taking them to the clinic and sending them to school. These investments in "human capital," the new research shows, may be as important as in "physical capital" like literacy or better health.

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The old view, established in the
Moynihan Says Clinton Isn’t Serious About Welfare Reform

By JASON DEPARLE
Special to The New York Times

WASHINGTON, Jan. 7 - The tempestuous chairman of the Senate Finance Committee, Daniel Patrick Moynihan, has accused the White House of acting in bad faith on welfare reform, and he has threatened that “I might just hold health care hostage” as a result.

Speaking at an editorial board meeting at The New York Post, the Senator said the White House was using welfare reform, a popular campaign issue, as “boob bait for the Bubbas.”

He said President Clinton raised the subject of welfare reform to appease the public “whenever he gets in trouble.” At the same time, he said, the President was “appointing people who have no intention of doing it.”

His remarks, quoted in today’s New York Post, went unnoticed in Washington until late in the day, when word spread through the offices of the Administration’s welfare officials.

Moynihan, Democrat of New York, was in his office, but did not return phone calls from a reporter today seeking to discuss his published remarks.

President Clinton made his pledge to impose strict work requirements on welfare recipients a centerpiece of his 1992 presidential campaign. But after almost a year in office, he has still not spelled out what he has in mind nor has he forwarded a proposal to Congress.

At a Cabinet meeting on Monday, Mr. Clinton said he would likely delay action on a welfare bill until his health care proposals clear Congress. Both bills would travel through the same congressional committees, and the President told his aides that the White House would find it difficult to handle both issues simultaneously.

Needling the President

Senator Moynihan, the leading welfare critic in Congress, has been needling Mr. Clinton since he began making welfare promises during the campaign, accusing the President of using the issue for political gain.

But the Senator, who is nothing if not volatile, has also publicly changed his tones quickly. In January, Mr. Moynihan said the Administration’s attitude on welfare reform amounted to “a clatter of campaign promises being tossed out the window.” But just a couple of weeks later, he praised Mr. Clinton’s remarks on welfare as “a superb speech” that underscored his commitment.

“I’m just very happy with the President,” he said then.

In his remarks to the Post, Senator Moynihan said the Administration was delaying on welfare because of finances. “Their problem is, there’s no money.” he said.

White House officials, asked to respond, chose their words carefully. “President Clinton’s very serious about welfare reform and he’s looking forward to Senator Moynihan’s leadership,” said Bruce Reed, a co-chairman of the Administration task force that is drafting a welfare proposal.

Moynihan Says Clinton Isn’t Serious About Welfare Reform

THE NEW YORK TIMES

Scot Visiting Texas Is Shot by Mistake, Police Say

Special to The New York Times

HOUSTON, Jan. 7 - A businessman from Aberdeen, Scotland, wandering for a phone the men could use to call a cab. After ringing the front doorbell twice at a home on Warrenton Drive, Mr. De Vries went into the backyard, the police said.

“President Clinton’s very serious on welfare reform,” the Senator said. “We’re not pressing charges against the police because we don’t want to get involved.”

The case is reminiscent of an incident in October 1992 in which a Japanese student in Louisiana was killed by a homeowner who said he had thought the student was trying to rob his home. The student, who did not understand English well, failed to comply when the homeowner told him to freeze. The homeowner was acquitted on manslaughter charges.

In deciding not to press charges in the case today, the Houston police appeared to regard the shooting as misguided self-defense. In the past year, there have been several incidents in Houston in which burglars have knocked down doors in the middle of the night to rob or assault residents.

Mr. De Vries jumped out of the car and Mr. Graves followed. Mr. De Vries was shot and killed early this morning by a homeowner who said he had thought the student was trying to invade his home. The student, who did not understand English well, failed to comply when the homeowner—told him to freeze. The homeowner was acquitted on manslaughter charges.

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Should the allies discuss Bosnia or plans to expand?

**U.S. and France Resolve Dispute on NATO Talks**

BY ELAINE SCIOLINO

WASHINGTON, Jan. 7 — Three days before the NATO summit meeting, the United States and France have agreed to paper over their differences over Western military involvement in Bosnia and Herzegovina in a last-ditch effort to avoid an embarrassing rift at the meeting in Brussels.

In recent days, senior French officials have insisted that the war in Bosnia be at the top of the agenda when the 16 NATO heads of state come together next week, and have publicly announced that France would call on the United States to join Europe in a more direct military intervention in Bosnia.

The Clinton Administration, by contrast, is distressed that the fighting in Bosnia, particularly the intensification of Serbian shellling of civilian targets in the capital of Sarajevo in recent days, could dominate the summit and overshadow the effort to redefine NATO's mission for the post-Cold War era.

**A Danger to Credibility**

In preparatory meetings in Washington and at NATO headquarters in recent days, senior Administration officials said that a focus on Bosnia would rob the summit of any credibility by highlighting the inability of the West to deal with a nearly two-year-old war in the heart of Europe that has claimed 200,000 lives and left two million people homeless.

Secretary of State Warren Christopher told reporters today that although the Bosnian rallies have become a problem for the allies, their main focus will be on the American proposal to extend some NATO privileges — although not membership — to the countries of Eastern Europe and the former Soviet Union.

The purpose of the meeting is "to discuss the future of NATO, to discuss how NATO would reach out to the east, to the newly emerging democracies," Mr. Christopher said. He called the American proposal, known as "Partnership for Peace," the "centerpiece" of the summit.

Bosnia, Mr. Christopher added, "will not be discussed.

But the degree of Washington's concern was in evidence on Thursday when the United States, stunned by published remarks by French Cabinet officials earlier this week, warned France not to turn the NATO meeting into a showcase for Western policy on the war.

Mr. Christopher, Anthony Lake, President Clinton's national security aide, and Stephen Oxman, Assistant Secretary of State for European Affairs, all telephoned French officials to protest French comments that appeared to criticize the United States for not helping more to relieve Serbian shellling of Muslim enclaves.

"The countries of the Atlantic alliance must declare themselves ready to apply U.N. resolutions, which means reinforcing ground troops and extending real protection to security zones," Mr. Juppé said today.

The letter also requested a renewed commitment from the United States that it would be prepared to send troops to Bosnia to police and support a peace settlement if one is reached.

Mr. Christopher did not confirm the report of a split with France, except to say he had spoken with Defense Minister Alain Juppé by telephone and that he expected NATO to come up with "a coordinated position." By this afternoon, both Washington and Paris reported that for the sake of NATO unity, they had agreed on a draft text of the NATO communique on Bosnia that was not made public.

Mr. Juppé also wants the potential threat of NATO air strikes reiterated at the summit. The United Nations has voted to allow air strikes if United Nations peacekeepers are attacked or if a no-fly zone over Bosnia is not respected, and last August NATO voted to prevent the "strangulation" of the Bosnian war with air strikes if necessary.

Among the issues that will be discussed at the summit, almost certainly will be the effort by the United States to extend some NATO privileges — although not membership — to the countries of Eastern Europe and the former Soviet Union.

French's initiative reflects growing concern over its 8,000 soldiers in Bosnia and Croatia, the largest single contingent in the 30,000-strong United Nations peacekeeping force. Six French soldiers were wounded in the Sarajevo area during intense fighting Thursday.

The head of NATO said today that he expected that Mr. Clinton and other leaders would reiterate the alliance's willingness to bomb Serbian military targets in Bosnia and Herzegovina if they did not stop the siege of Sarajevo.

But in a telephone interview with American correspondents, the official, Manfred Wörner, said that there had been no recent discussions between the two sides about actually launching air strikes.
SARAJEVO, Bosnia and Herzegovina, Jan. 7 — United Nations officials said today that the Bosnian Government had set off plashes in the Grbavica section, that its forces had set off plashes in the Grbavica section.

And officials condemned the Serbian retaliation as out of all proportion to the initial assaults.

The statement said the United Nations said in a statement, "Each attack has been followed by heavy retaliation by the Bosnian Serb army side, involving shelling, artillery and mortars."

The United Nations said in a statement that the Bosnian army positions around the city's old Jewish cemetery. But the United Nations said today that the Bosnian Government attacks as well as the retaliatory artillery strikes by the Bosnian Serb army side, involving shelling, artillery and mortars.

In the Grbavica area, heavy machine-gun fire and shell explosions echoed from the charred houses of bombed-out buildings and trenches running between basements and houses on street after street near the Jewish cemetery, a Serbian strategic site that was apparently the target of the fighting on Thursday.

Away from the battle lines, Serbian soldiers continued to fall throughout the day, the Serbian Orthodox Christmas.

But the shelling was at a lower intensity than the earlier bombardments.

On Thursday, Bosnian radio did not mention the United Nations statement accusing the Bosnian army of initiating the fighting there.

But the news that the Bosnian Army had taken the initiative was passed by word of mouth from many fathers and sons who are serving in the army in the Grbavica neighborhood, which peaked one Thursday in a bitter firefight near the city's old Jewish cemetery. But the officials condemned the Serbian retaliation as out of all proportion to the initial assaults.

The United Nations statement accused the Bosnian Government of "setting off plashes in the Grbavica section, that its forces had set off plashes in the Grbavica section."

By CHUCK SUDETIC

Defending the Government’s tactics, a Bosnian Government official said: "The world has shown us that only raw force matters here. The world has shown us for two years that arguments mean nothing."

A Response to the U.N.

The official, who spoke on condition of anonymity, said he was surprised that the United Nations expected the Bosnian Government to sit back while the rebel Serbs continue to occupy Bosnia territory and to force non-Serbs from their homes.

The Bosnian official said it was absurd to suppose that the Bosnian fighting was trying to garner sympathy in world public opinion by provoking the Serbs to shell this city and its 280,000 people.

"It is not our strategy to sacrifice our own civilians," he said, "It is called for our people to stay off the street."

"If Mladic only attacked Sarajevo whenever we attacked Grbavica, that would be an argument," the official said, referring to Gen. Ratko Mladic, the commander of the Bosnian Serb forces. "Mladic attacks this city whenever he's in the mood. The United Nations too rarely criticizes that."

"The situation is such that we must take some targets. The war cannot be resolved militarily, but this military activity is necessary to strengthen our negotiating position."

A Christmas Mass

Few Sarajevans dared to venture onto the city's streets today, but several hundred Serbian residents gathered to celebrate Christmas Mass this morning at an Orthodox church in the old part of the city. It is estimated that more than 50,000 Serbs loyal to the Government remain in the city.

The city's airport remained closed to relief flights today after the airport was hit on Thursday wounded five French soldiers. The United Nations military spokesman here, Lieut. Col. Bill Aikman, said United Nations investigators had established that the shelling that initially closed the airport on Wednesday had been carried out by Serbian mortars, and not Bosnian Army guns as had been reported earlier.

Sarajevo's hospitals and morgue reported 5 dead and 26 wounded today. Four people died in overnight shelling, bringing this week's death toll to near 50. United Nations officials said two civilians died and eight were wounded on the Serbian side in Thursday fighting.

The renewed fighting in Sarajevo has all but obliterated hopes that negotiations scheduled for Jan. 18 in Geneva will produce any progress toward peace. Talks between President Alija Izetbegovic of Bosnia and President Franjo Tudjman of Croatia are schedul ed for Saturday in Bonn.

The latest surge in fighting in Sarajevo has been accompanied by continued clashes in central and northern Bosnia as well as renewed Croatian threats of the Government-controlled eastern half of Montar. 
Crimea Vote Raises Regional Tension

By JANE PERLEZ

SIMFERPOL, Ukraine, Jan. 5 — The poor relations between Ukraine and Russia, already tense over Ukraine's nuclear weapons and its inability to pay for Russian oil, are likely to be aggravated by the election on Jan. 16 of the first President of Crimea. A peninsula with balmy weather and a beautiful coast that juts into the Black Sea, Crimea is home to the Black Sea Fleet, an aging fleet of rusty ships that Ukraine and Russia continue to bicker over.

Many Russians believe that since Catherine the Great annexed the Crimea in 1782, the peninsula of strategically placed real estate rightfully belongs to them. But Ukraine was handed Crimea in 1954 by Nikita S. Khrushchev, and when it became a independent from the Soviet Union two years ago Crimea stayed inside Ukraine.

Now, after two years of watching the Ukrainian economy collapse — and the only bright spot, Crimea's economy along with it — there is a growing clamor here for Crimea to rejoin Russia.

Relationship With Russia

Thus, the elections are not just about choosing a President of Crimea, a new title and position intended to give Crimea an aura of separation from Ukraine. The campaign is about Crimea's future relationship with Russia. Of the six candidates running on a platform of union with Russia, a stance which presents a direct provocation to President Leonid M. Kravchuk of Ukraine and his fiercely nationalist Parliament. A break away Crimea joining Russia could spark a domino effect among other regions in Ukraine, particularly the Donbas area in the east, where a majority of people are ethnic Russians.

The last census estimated that 67 percent of the 2.5 million Crimean population were ethnic Russians and the remainder were Ukrainians. This census did not include the Tatars, the original inhabitants who were deported to Central Asia by Stalin in 1944. In the last two years, about 250,000 Tatars have returned to the area under impoverished conditions with few opportunities for advancement.

Campaign Too Close to Call

This ethnic mix lends a volatile complexion to the Crimea as growing concern about rising crime and failing living standards. A Ukrainian intellectual, Taras Rusz, recently wrote an article for the Institute of International Studies in London saying Crimea was likely to be Europe's next Bosnia. Western diplomats in the Ukrainian capital Kiev call the Crimea an "time bomb" for Ukraine because, whatever the outcome, it is bound to further stir the nationalist strivings of Vladimir V. Zhirinovsky in Russia.

Politicians and analysts here said that the campaign appeared too close to call. They said the leading contender were Crimea's current premier, Nikolai Bagrov, who favors economic independence within Ukraine, and Leonid Grach, the leader of the Crimean Communist Party, who wants Crimea to be part of a re-created Soviet Union.

But a third candidate, Yuri Meshkov, who is running on a platform of union with Russia, is also doing well. Mr. Grach, Mr. Meshkov and another candidate, Serguey Shuvainikov, who also running on a pro-Russian platform, are receiving money from various sources in Russia, politicians here said.

The Tatars, who support Crimea's staying within Ukraine, have announced that they will boycott the election and will encourage others to do so. They hope to keep the turnout below the 51 percent necessary to have a valid election.

Mr. Bagrov, a former First Secretary of the Communist Party in Crimea who served on the Central Committee in Moscow in the 1980's, is the only presidential candidate who favors staying within Ukraine.

But even that is a grudging stance, since Mr. Bagrov engineered legislation in the Parliament last June that made Crimea an economic free zone. Mr. Bagrov favors stronger economic ties with Russia, including the delivery of Russian oil directly to Crimea.

Troubling Election Rhetoric

If the pro-Russian forces win, Mr. Bagrov's campaign aids said "war will be unleashed" by the Ukrainian nationalist forces in Parliament who would not tolerate such humiliation. Such predictions may be just hot campaign rhetoric, but Ukrainians here say they are uneasy about such talk.

One of the most pro-Russian candidates, Mr. Meshkov, said that if he won he would hold a referendum in March on the status of Crimea. He is confidently said that such a referendum will allow Crimea to become "independent" and thus pave the way for what his campaign literature calls "union with Russia."

Mr. Meshkov said he wanted Crimea to become part of the Russian ruble currency zone. He said Ukrainian troops stationed on the peninsula should leave.

How the Russian Government would incorporate Crimea into Russia Mr. Meshkov declined to specify. Ukraine and Russia are involved in intense negotiations over how and when the Ukrainians should dismantle their nuclear weapons. Western diplomats said President Boris N. Yeltsin of Russia would find it difficult to accept Crimea and the same time he was negotiating with President Kravchuk. Mr. Yeltsin would have to disavow having Crimea as part of Russia, they said, but that reaction would be quite different if Mr. Zhirinovsky came to power.

Playing to Russian Sympathies

Mr. Meshkov and the other pro-Russian candidates are playing to the sympathies of the Russians living in Crimea, most of whom are either retired senior members of the Soviet Communist Party or retired military officials. These people mourn the disintegration of the Soviet Union, dislike the economic disadvantages of being in Ukraine and they are steady voters.

Even the Ukrainians in Crimea are not happy with the current economic difficulties, which they believe are caused by being squeezed by both Russia and Ukraine.

All the candidates, including Mr. Bagrov, are campaigning on getting Crimea out of its economic slump.

Vladimir Sheviov, the leader of the Economic Revival Party of Crimea and the chief financial backer of Mr. Bagrov, said: "I told President Kravchuk that if the Supreme Soviet of Ukraine failed to make economic reforms he should give us a chance to make the market reforms in Crimea and let us be the leading bodies of Ukraine how to move."


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Shamir Remarks on New York Bomb Attack Draw Criticism

**By CLYDE HABERMAN**  
Special to The New York Times

JERUSALEM, Jan. 7 — Former Prime Minister Yitzhak Shamir was embroiled today in a sharp dispute with critics who he said seemed to question whether they may be Leninists remaining in Israeli cells.

Mr. Shamir quickly sought to amend his comments, in which he suggested that the leftist targets of the bombs were "crybabies" and questioned whether they may be Leninists remaining in Israeli cells.

The accord announced today comes as the peace talks between the P.L.O. and Israel, which appeared stalled for nearly two weeks, are scheduled to resume on Monday in the Egyptian resort of Taba on the Red Sea.

The furor heightened already existing concern among the harsh and at times even violent language of the political debate here over the agreement for the territories. Some rightist opponents of the accord have accused the Government of "selling out the Jewish people." The bombs were discharged because of the atmosphere after Israel's invasion of Lebanon in 1982, when Government ministers like Mr. Shamir questioned its feasibility.

The agreement was signed by a group calling itself Shield of David Maccabee Squad, according to the newspaper Haaretz. The agreement was signed by a group calling itself Shield of David.

The move came after a warning by King Hussein this week that unless the accord concerning the Israeli-occupied territories, negotiated more than two months ago, was signed he would take unspecified actions.

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Public & Private

ANNA QUINDLEN

A Pyrrhic Victory

Pop quiz: A 16-year-old is appropriately treated at a school clinic after he has sex anyhow. "A vic­eases like condyloma, chlamydia, gonorrhea, syphilis. He has a 16-year-old in the hospital right now who got AIDS from his second sexual partner. And he recalled a girl who broke her leg jumping into an apartment window because her mother found her birth control pills seized by the throat and said, according to the kid, "I brought you into the world; I can take you out of it." Don't you just love those kids?

Condomania again and again.

mother-daughter sex talks?

He also knows that at the heart of the balancing act between keeping kids healthy and keeping parents involved there has always been a covert place in which many opponents of condom distribution really settle. If you're on the list, dear" scenes. Third, the Department of Health and Human Services unveiled this week. The general secretary of the National Conference of Catholic Bishops immediately said the ads "promote promiscuity" and the networks should reject them. At the same time ABC said it would not run the spots during its prime-time "family-oriented" programs.

So foolish. ABC's own "Roseanne" has been far more candid about sexuality than any of the new Government public-service spots. And what could be a better way to foment conversa­tion with the children of the video age than a television advertisement? Right there in your living room you have a good to the kind of discussions that opponents of condom distribution have always argued is the purview of parents. And you put the ads on late at night? Do we really want to talk with our kids? Or do we just want to talk about talking to them?

The Board of Education could do a great good if it found ways to truly foster parent-child communica­tion in all things, not just matters sexual. But instead its members argue about condoms. This isn't really about condoms, of course, but about control and the shock of adolescent sexuality and the difficulty parents have communi­cating with their kids and a deep and understandable yearning for simpler times.

While we yearn and argue, Dr Cohall visits his 16-year-old AIDS pa­tient. Her parents' involvement may someday consist of visiting the ceme­tery. Imagine how they'd feel if they put her on the no-condom list, then put her in the hospital, then put her in the ground. Some victory.
A Loud Silence on Racism

By Roger Wilkins

WASHINGTON

Nord Abdul Muham-

had studied at

mality leave amounted to a year off at an

average of 80 percent of full pay. The

state enforced child support responsi-

bilities by garnishing wages, and pro-

vided insurance to fill the gap if an absent

parent failed to pay. Women could get

abortions at no cost through a national

health system. Public services enabled

East German women to take care of

children when they came into our class-

room. No matter what subject we teach,

our persons can be powerful courting and

countervailing lessons to the racist

notions that nonblack students bring

from their neighborhoods and homes.

are much more than simply the sum

of our injuries and grievances.

One of the first tasks black faculty

members have in passing on those

lessons is to separate, to the greatest

degree possible, our teaching from the

anger and pain our own insuffi-

cient struggles have inflicted on us.

We have to be able to manage our

anger and pain and to use them con-

structively in order to teach our stu-

dents how to do it after we are gone.

Our heroes did that. Though some

of them worked during slavery and oth-

ers during deeper segregation, they

were not whiners or scape-

goaters. Some of the most courageous

and effective allies many had were

Jews. They had other white allies as

well — some of them Catholic, black,

lesbian or gay. Our great leaders

were not immune to pain or anger,

but they were not racists.

This is not to say we can control your justifiable rage, to resist scapegoat-

ing, to deal with people as individuals and not as 'urban' or 'inner-city' or

whether at our sufferance!

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Tragedy Wasn't Enough

By Darin F. Detwiler

BELLINGHAM, Wash. — Two years ago this month, an outbreak of E. coli bacteria poisoning in western Washington sent hundreds of children to the hospital. This outbreak, caused by contaminated ground beef that was improperly cooked by Jack in the Box restaurants, also took the lives of three young children, including my 16-month-old son, Riley.

A flurry of news coverage led to brief national attention to the E. coli problem. My wife and I spoke to network executives about a TV movie. After talking it over, my wife and I agreed that this might be the best way to put a human face on a relatively unknown illness — and the only way to prevent others from having to go through what we did.

An agent helped us as we worked with producers. But when executives came into the picture, they decided that a movie of the Riley Detwiler story would need a few changes. One network told us that our story didn't fit the network prescription, it deserves more attention than it has received. An E. coli outbreak can happen at any time, in any city, and can affect any number of people. Young children are the ones most at risk from eating undercooked meat that contains the E. coli 0157:H7 bacteria. Once in the body, the bacteria produce a powerful toxin that can severely damage internal organs. Like hepatitis, the illness is contagious: Riley became infected from a child in his day-care class who had eaten a tainted hamburger.

Although there were a few items on the current violent trend in TV movie plots. If I'd bought drugs with money donated to Riley during his illness, or if my wife had walked into a Jack in the Box and opened fire on the cooks, then maybe we would have something marketable. While our story doesn't fit the network prescription, it deserves more attention than it has received. An E. coli outbreak can happen at any time, in any city, and can affect any number of people. Young children are the ones most at risk from eating undercooked meat that contains the E. coli 0157:H7 bacteria. Once in the body, the bacteria produce a powerful toxin that can severely damage internal organs. Like hepatitis, the illness is contagious: Riley became infected from a child in his day-care class who had eaten a tainted hamburger.

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While the White House has rightly rejected military intervention as a way of restoring Mr. Aristide to power, it has wrongly leaned toward Mr. Aristide to his acting Prime Minister, Robert Malval as a substitute leader. Mr. Malval is a businessman and a member of Haiti's mulatto elite who is seen as more palatable to the military and more inclined to compromise. Meanwhile, the U.S. has shied away from the kind of muscular sanction that might hurt that elite — a more complete embargo. By presenting a more personal side of the issue, the networks don't take well to stories about the loss of children.

Of course, we could have done several things to match our story with the current trend in TV involving food safety during the heat of the outbreak, average parents don't learn how to protect their children from TV news films of a slaughterhouse or a discussion of the Department of Agriculture's performance. While the networks could allow viewers to understand exactly what E. coli is and to see just how vulnerable their children are. A TV movie might have helped. Too bad the Riley Detwiler story didn't have enough drama.

Why TV wouldn't make 'The Riley Detwiler Story.'

No Time to Dump Aristide

It was an almost Reaganesque display of cluelessness. On Wednesday President Clinton said his Administration needed to "reassert" its support for Haiti's exiled President, Jean-Bertrand Aristide. On Thursday his aides were left with the task of reasserting American support for Mr. Aristide while trying not to make their boss look like a fool.

One of them, however, insisting on anonymity, couldn't resist telling The Times that Mr. Clinton was "two weeks behind" on Haiti policy. Timing and discretion aside, President Clinton was reflecting a pervasive view within his Administration, which has gradually shifted its support from Mr. Aristide to his acting Prime Minister, Robert Malval. Mr. Malval is a businessman and a member of Haiti's mulatto elite who is seen as more palatable to the military and more inclined to compromise. While the White House has rightly rejected military intervention as a way of restoring Mr. Aristide to power, it has wrongly leaned toward Mr. Malval as a substitute leader. Mr. Malval was not elected by the Haitian people; Mr. Aristide was. The Administration says it wants Mr. Aristide to "broaden" his support. But how many leaders can claim — as Mr. Aristide can — the loyalty of almost 70 percent of their electorate? The problem is not the breadth of his mandate; it is the awful reality that in Haiti a tiny, ruthless elite holds all the power.

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Meanwhile, the U.S. has shied away from the kind of muscular sanction that might hurt that elite — a more complete embargo. By presenting a more personal side of the issue, the networks don't take well to stories about the loss of children.

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A New Opening in North Korea

Encouraging signs emerged this week that the Clinton Administration's diplomacy is having the desired effect on North Korea. The North has agreed to allow the resumption of regular international inspections of all seven of its declared nuclear sites. And it has reportedly canceled the sale of its Rodong missile to Iran. That is a relief to Israel, which would be within range of such a missile.

True, North Korea has not yet agreed to admit inspectors to two suspected but undeclared nuclear sites. But this initial agreement, if carried out, will go a long way toward easing immediate fears about the North's nuclear program. And it has set the stage for a package deal that could put more lasting curbs on proliferation on the Korean Peninsula.

Critics demean the importance of the new agreement, saying that North Korea has just stalled since March, when it announced it was suspending its participation in the Nuclear Nonproliferation Treaty. But the North did nothing to divert more spent nuclear fuel into bomb-making in the interim. To remove such material, it would have had to shut down its reactors. It has not done so, according to U.S. intelligence.

An inspection can verify that, and much more. Inspectors will be on the scene when the fuel rods in one of North Korea's reactors are replaced in the coming months. Their presence would deter any diversion of nuclear material for use in weapons. Inspection of the reactor's core could also help determine whether or not such a diversion took place in 1989, before international inspections were instituted. The possibility of such diversion led some intelligence analysts to conclude that the North may have enough nuclear material for as many as two bombs.

Inspections that go beyond these regular visits will be a major subject for future high-level negotiations. Special inspections of the North's two suspected nuclear waste sites and other steps may be needed, for example, to ascertain how much nuclear material, if any, was diverted in 1989.

Those negotiations will take place once North Korea finishes working out the details of regular inspections with the International Atomic Energy Agency and reopens talks with South Korea on establishing a nuclear-free Korean Peninsula.

In preparation for those talks, President Clinton needs to prepare a package of incentives, including diplomatic recognition, military assurances and economic ties, to coax North Korea into opening up still more, in order to assure the world that it is not making nuclear arms.

Nuclear diplomacy is making real headway. It needs a package of incentives, and patience, to give it a chance to succeed.

The Shrinking Speaker

Thomas P. (Tip) O'Neill Jr., dead at 81 this week, was a well-liked Massachusetts Democrat and competent Speaker of the House who memorably remarked, "All politics is local." Yet it is also true that the office of Speaker has shrunk in authority and prestige in part because so many House Democrats have pushed the O'Neill axiom to its logical conclusion. They care more about sentiment in their home districts, as in the Nafta vote, than about the merits of the argument and the success or failure of a Democratic President.

Fidelity to party mattered far more a century ago, when The Washington Post expressed a common view about the Speaker: It was an office "no less consequential than the President." During the 1860's, Thomas Reed of Maine was the unquestioned ruler of the House, "ambitious as Lucifer," as a rival said, who clearly spoke for its Republican majorities. The era of the czars and bosses continued with Joseph Gannon of Illinois, Champ Clark of Missouri, Nicholas Longworth of Ohio and Sam Rayburn of Texas.

But after Rayburn's death in office in 1961, party loyalties have progressively slackened as House elections have turned into sound-bite blitizes underwritten by special-interest campaign funds. Indeed Tip O'Neill's national reputation owed much to his own independence; he was part New Deal loyalist, part Bay State maverick. In 1967, faithful to the views of many Cambridge voters, he was among the few party leaders to break with Lyndon Johnson and oppose the Vietnam War. In the Nixon years, his dissent stood him in good stead among younger, anti-war House Democrats, who elected him chief whip.

Working with liberals, Mr. O'Neill fought successfully to strip away the autocratic powers long enjoyed by committee chairmen; he was elected Speaker by acclamation in January 1977. Yet in his decade at the dais Mr. O'Neill proved a fickle and lukewarm friend to Jimmy Carter, a Democrat, and an accommodating adversary to Ronald Reagan, a Republican.

True, compared with his successors, Jim Wright and Thomas Foley, Tip O'Neill may seem a titan. But for Bill Clinton, the O'Neill legacy is a weakened Speaker, and a House without a woodshed.
An Ever-Growing Paper Trail

Clintons' Whitewater Records Go From Nothing to Volumes

By Howard Schneider and Charles R. Babcock  

When the subject of Bill and Hillary Clinton's investment in Whitewater Development Corp. first came up during the 1992 Democratic primary campaign, they said the records were with their co-investors in the land venture, James and Susan McDougal.

No, said the McDougals, the records had been shipped to the Arkansas Governor's Mansion for safekeeping by the Clintons.

A few weeks later, Clinton aides had assembled enough documentation to prepare a "forensic accounting" of the venture and declare it a money-losing enterprise.

The department wanted the records as part of its investigation for the original loans, although there was no documentation for the original loans.

Last July, a Whitewater file kept by White House aides had been found that during McDougal's thrift after McDougal had been removed in 1986 found that during his final years the "underlying documentation for cash disbursements . . . was often missing or incomplete, and, at times, inaccurate records."

According to federal regulators and independent auditors who examined Madison, the books of Motion Guaranty Savings & Loan, failed in 1989 at a cost to taxpayers of $47 million to $60 million. Federal thrift investigators have found evidence that money from the savings and loan was diverted to Whitewater and other McDougal companies and listed the Clintons among the possible beneficiaries.

The Clintons have said they were passive investors in the venture and did nothing improper. They said the McDougals were in complete control of Whitewater's operations and record-keeping.

The release of the Clintons' Whitewater records to the Justice Department is an effort to solve a political problem for the White House. But it is just one step for investigators, who are trying to understand the connections between Whitewater, Madison and other McDougal businesses that have a history of missing, incomplete and, at times, inaccurate records.

According to federal regulators and independent auditors who examined Madison, the books of Motion Guaranty's thrift were notoriously inaccurate. Accountants from Peat Marwick Main & Co. who looked at the thrift after McDougal had been removed in 1986 found that during his final years the "underlying documentation for cash disbursements . . . was often missing or incomplete, and, at times, inaccurate records."

Judging from the few publicly available land and loan documents, Whitewater exhibited some of the same deficiencies. Recorded land sales, for example, did not always match the true value of transactions to the company.

According to sources, thrift investigators have found checks from Whitewater to McDougal that were characterized as loan repayments, although there was no documentation for the original loans.

Now, what began as a seemingly incomplete archive has turned into a cornucopia of paper as the Clintons prepare to do something they have refused to do for the past 1½ years--assemble their Whitewater material in one place for an independent review. White House aides anticipate that they will send the Justice Department several boxes of material.

The release follows a Justice Department subpoena that the Clintons requested so the documents would be protected by grand jury secrecy rules. In part, part of the reason the file has grown so voluminous is that the White House not only negotiated terms of the subpoena with the Justice Department, but actually asked to have it broadened to include campaign documents and other records with no obvious connection to Whitewater.

The department wanted the records as part of its investigation into a failed Little Rock, Ark., savings and loan owned by the McDougals. The thrift, Madison Guaranty Savings & Loan, failed in 1989 at a cost to taxpayers of $47 million to $60 million. Federal thrift investigators have found evidence that money from the savings and loan was diverted to Whitewater and other McDougal companies and listed the Clintons among the possible beneficiaries.

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Publicly, the Clintons have been reluctant to detail their involvement with McDougal or the Whitewater venture. They are a couple that kept meticulous track of the tax deductions they earned for donating underpayments to charity, but have so far failed to release any canceled checks, receipts or other records to document the $68,900 they say they lost in Whitewater. They never claimed that loss on their federal income taxes.

In a two-hour meeting with Washington Post reporters and editors on Dec. 6, presidential adviser Bruce Lindsey said the White House did not want to release any Whitewater records to the news media because it would only raise more questions about the investigation.

Others documents have been equally hard to pin down.

Arkansas state election officials said they no longer have records of old Clinton campaigns that might prove pertinent to the federal investigation, which is examining whether Madison funds were diverted to the 1984 Clinton campaign.

Chris Wade, a Realtor who helped set up Whitewater and marketed its lots, said he still had records from Whitewater real estate transactions. But he said he would only share the records in his possession if one of Clinton's advisers told him it was okay.
Confronting Violence

African American Conferees Look Inward

By Lynne Duke

A growing debate among African Americans over what to do about violence in their communities came to Washington this week as scores of black leaders grappled with how to frame the racially controversial public policy issue.

This week's conference, sponsored by Jesse L. Jackson and his National Rainbow Coalition, is part of a broad-based and very public anti-violence coalition, is part of a broad-based and very public anti-violence campaign given voice in recent years sponsored by Jesse L. Jackson.

The conference said they felt they had neglected for too long the problems of inner city youth and the dual responsibilities of government and individuals in addressing them.

Blacks make up about 12 percent of the U.S. population, but in 1992 they represented about half of the people murdered in cases in which the victim's race is known. Homicide is the leading cause of death among young black males, and the vast majority of their killers are other black males.

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So high is the level of "black-on-black violence," Jackson said recently, that it inspires a fear that is jolting in its racial context. "There is nothing more painful to me at this stage in my life than to walk down the street and hear footsteps and start thinking about robbery then look around and see somebody white and feel relieved," Jackson has said.

Some observers caution that such condemnatory rhetoric could be used as fodder by those seeking to reinforce or justify their negative stereotypes, such as the widely held perception that blacks are more prone to violence than other people.

"You may play into the negative stereotypes about the lives of black people without meaning to," Mary Frances Berry, chairwoman of the U.S. Commission on Civil Rights, said, in an interview.

Others, however, say violence is far too dire for such concerns to inhibit efforts to stop it. "How many people on the streets of Southeast Washington tonight are in danger of being shot in the head by a negative stereotype?" Will Marshall, president of the Progressive Policy Institute, asked sarcastically.

Roger Wilkins, a George Mason University history professor and former Justice Department civil rights attorney, said the black rhetoric on crime represents an erosion of a traditional "cultural inhibition" among African Americans. Historically accustomed to being attacked by whites and their hostile political systems, blacks have developed a reluctance to openly criticize one another or discuss group faults, he said.

The Rev. Calvin Butts, pastor of Abyssinian Baptist Church in Harlem who has crusaded against gangsta rap lyrics, said leaders have been somewhat "afraid" to talk tough "because many of us felt that this would in fact cause the stereotype, and we didn't want to come down on our own children."

This more open dialogue, said Wilkins, will help shape the debate on crime at a time when racial confusion and fear are running high. The fear of crime, which blacks commit in numbers disproportionate to their minority status in the population, has translated into a fear of black people, particularly black men, said Wilkins.

Said Jackson, "The violence drives the politics of fear. The result is, rather than having a youth initiative or an urban policy or community development banks as the priority, we now have a crime bill because the crime bill is a product of fear."

Counteracting that fear is one of the motivations behind the conference, at which Attorney General Janet Reno and Surgeon General Joycelyn Elders were speakers, along with experts in a variety of social science disciplines related to violence, and several members of the Congressional Black Caucus who discussed the state of welfare reform and the crime bill. Today, the conference is to release an action plan for dealing with violent crime.
War Games
In Poland
Proposed

E. European Officials
Reluctantly Endorse
NATO 'Partnership'

By David B. Ottaway A
The Washington Post

WARSAW, Jan. 7 — The United States today proposed NATO mil-
tary exercises with Poland before the end of the year as the defense
ministers of four East European nations reluctantly endorsed the
U.S. Partnership for Peace proposal to inaugurate military cooperation
between the Western alliance and former Soviet satellites.

In a meeting with Polish President Lech Walesa, U.S. Army Gen.
John M. Shalikashvili, chairman of the Joint Chiefs of Staff, said the
joint exercises would affirm the readiness of the North Atlantic
Treaty Organization to begin building a new military relationship with
the countries of Eastern Europe, according to U.S. officials. Shalikashvili later said he would offer joint exercises to any East
European nation that signs on to the Partnership for Peace, an evolu-
tionary program for eventual NATO membership whose formal
endorsement is expected Monday at the alliance's summit in Brussels.

Shalikashvili's offer was in line with the Clinton administration pol-
icy of going slow on extending NATO membership to the countries of the defunct Warsaw Pact while trying to expand NATO's influence to that area once dominated by the Soviet Union. But the Partnership for Peace plan has been much crit-
icized by the East European countries for lacking any concrete time-
table for joining NATO or even an assurance that they will be granted membership.

The United States fears that rapid expansion of NATO would alien-
ate Russia and strengthen nationalist's there who still view the West as their enemy. On Thursday, Russian President Boris Yeltsin issued
another stern warning, saying through a spokesman that any NATO intrusion in the east "may lead to military and political destab-
ilization in a key region for the fate of the world."

After a day of talks here with Polish and other East European offi-
cials, the Clinton administration's two special envoys, Shalikashvili and Madeleine Albright, the U.S. ambassador to the United Nations, expressed new optimism that the American proposal was gaining gen-

eral support.

"I remain optimistic that Poland will become a very active member of the Partnership for Peace," Shalikashvili said. Albright added that it no longer was "a question of
whether, but of when and how." Poland and other East European nations would join.

Shalikashvili stressed that coun-
tries agreeing to participate in the Partnership for Peace would be
those most likely to be considered eventually for full NATO member-
ship.

The defense ministers of Poland, Hungary, the Czech Republic and
Slovakia, whom the two Clinton admin-
istration envoys also met here today, made clear that they were ready to sign on, if only because they had no other choice, U.S. of-

ficials said.

Their general feeling, according to these officials, was that the U.S.
plan had at least met their minimum
needs, even if it fell short of their desire for full NATO membership.

The defense ministers issued a joint communique saying the Part-
nership for Peace was "a step in the right direction, favorable to the idea of multilateral security, and leads to
a broadening of cooperation be-
tween NATO and the states of cen-
tral Eastern Europe."

But they also insisted that the plan, providing for a series of bilat-
eral accords for progressively closer military cooperation, "must lead to full membership of NATO." They also asked that NATO confirm its interest to the United States, according to
Albright and Madeleine Albright, the U.S.

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careful choosing their words, the two U.S. envoys said the security of Poland was of "direct and maternal interest to the United States, al-
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President’s Lawyer Tried to Limit Justice Dept. Use of Whitewater Files

By Ann Devroy

President Clinton’s private lawyer attempted to negotiate unusual limits on how the Justice Department could use files about Whitewater Development Corp. that the White House had agreed to turn over, officials said yesterday.

David Kendall, Clinton’s lawyer, was rebuffed when he urged department officials to agree they would not share the material with the Office of Professional Responsibility, the unit of the Justice Department that is investigating the handling of the suicide last July of White House deputy counsel Vincent Foster.

Such an agreement would have been extraordinary, according to a former federal prosecutor, because the Justice Department is generally free to share subpoenaed grand jury material with any of its attorneys who have a legitimate need for it as part of an investigation into potential criminal conduct.

The details of the discussions between Kendall and the Justice Department were described yesterday by White House officials, who early this week had disclosed that files relating to the Clintons’ partial ownership of Whitewater Development Corp. were being given to the Justice Department under a subpoena negotiated Dec. 23.

The White House had not disclosed the subpoena when it announced that day it would voluntarily deliver its files. On Wednesday, when the subpoena was disclosed, White House officials said that Kendall had sought the subpoena to protect the material from being given to news organizations, Congress or others. Releasing subpoenaed material is a criminal violation.

A senior administration official said yesterday that Kendall “did say to the Justice Department that he did not want these documents to go to OPR. He wanted them protected from that kind of dissemination.” The official said that Kendall’s position to Justice was “they should not be turned over to OPR” unless OPR went to court to seek its own access to the records. There was no indication why Kendall sought to deny OPR access to the documents.

A Justice Department spokesman would not comment on Kendall’s request yesterday. But the former federal prosecutor with extensive Justice Department experience said that what Kendall was seeking “is never done. When the Department of Justice subpoenas materials, it subpoenas materials. Period. They can share it” with any other part of the department authorized to conduct criminal prosecutions.

The Justice Department investigation, Reno said, is being run by career professionals “in a fair, thorough and impartial manner, fully consistent with the dictates of professional law enforcement.” She reiterated her position that appointing a special prosecutor on the Whitewater investigation would not still the questions of impartiality, and would slow the investigation.

But sources in the legal community said yesterday that the Justice Department has begun compiling what one called “very informal” lists of potential appointments should Reno change her mind. One source said, “Some calls have been made into the legal community among those who would have the stature to do this about whether they might be available.” The source said it was unclear whether the calls were authorized by anyone at the Justice Department or simply an informal operation.

And a senior administration official said that the issue may have to be revisited if “the political landscape does not get any better.” The White House yesterday held its north day special prosecutor on her own would have the stature to do this thing we can to cooperate with any legitimate investigation but at the same time we are going to try to protect the integrity of the documents and make sure they are not abused,” Reno said.

The White House yesterday held firm against the need for an outside investigation of Whitewater, but sources said the issue, which caused extensive internal debates, may have to be revisited.

Stephanopoulos and counselor David R. Gergen both said yesterday that the White House sees no need for either a special prosecutor appointed by Attorney General Janet Reno or by an independent counsel that would be appointed if the independent counsel law is reauthorized by Congress.

Republicans yesterday tried to keep up the political pressure on the White House, renewing allegations that the Justice Department probe of Madison and its connections with Whitewater Development was being manipulated by the White House and could not be thorough unless conducted outside the Justice Department.

Reno, in letters to Senate Minority Leader Robert J. Dole (R-Kan.) and Rep. Jim Leach (R-Iowa), repeated her position against appointing a special prosecutor. Both had made such a request.

The White House had agreed to turn material over to the triad unit of the Justice Department, which is investigating Whitewater and a failed Arkansas thrift, Madison Guaranty Savings & Loan, which was owned by James McDougal. McDougal and his wife Susan were partners in Whitewater with Bill and Hillary Clinton.

Among the material to be turned over is a Whitewater file found in Foster’s office the day after his suicide. That file was sent by the White House counsel’s office to Kendall as “personal business” of the Clintons when the White House was separating official government files, personal files and personal effects to go to Foster’s family. The White House made the determination of what material went into which category, and the existence of the Whitewater file emerged only last month.

White House senior adviser George Stephanopoulos said there was no sinister intent in Kendall’s attempt to keep the documents from OPR. “We are going to do any-
sions than positive. The three major reasons why such a move could hurt the president, the official said, was it would elevate the issue to a more serious level, would risk a "runaway prosecutor" and would ensure the issue would return in some form when the probe was completed.

On the positive side, sources said, calling for a special prosecutor would demonstrate Clinton’s willingness to have a more independent probe, could effectively send the issue underground during the probe, and could give more credibility to a finding that there was no wrongdoing than would a similar finding from a regular Justice Department investigation.

Unless and until Congress passes the independent counsel law, which expired in December 1992, the only route to a special investigation is a Reno appointment. Democrats and Republicans have predicted quick passage of the law after Congress returns later this month.

Last March, the House Judiciary Committee opposed the bill when the panel endorsed it on a party-line vote. They have criticized the $35 million investigation that Lawrence E. Walsh conducted into the Iran-contra affair.

"Thanks to Whitewater, the Republicans have become converts," said Rep. Barney Frank (D-Mass.), a cosponsor of the bill. "I’m impressed with the flexibility of Senator Dole at this stage of his career to do a complete reversal on it."

Last November, the Senate approved its version of independent counsel legislation, 76 to 21.

Republicans have pressed for a requirement that the Justice Department seek independent counsels to investigate allegations against members of Congress. Both the Senate and House Judiciary Committee scuttled what Frank termed "automatic coverage" of lawmakers.

Frank said that members of Congress were covered under the old law—and would be under the new one. More than a dozen times during the Reagan and Bush administrations, he said, Republican attorneys general declined to seek an independent counsel because federal prosecutors faced no ostensible conflict of interest in investigating lawmakers.

In a related matter, House Minority Leader Robert H. Michel (R-Ill.) urged Reno to ask Clinton "and any others under investigation [to] agree to waive the statute of limitations so that an investigation can be fully and properly conducted."

A Republican leadership aide said that a seven-year limit on some civil violations that could apply in the Madison case expires in March.

In Little Rock, Ark., prosecutor Donald Macy told U.S. District Court Judge Stephen M. Reasoner that he plans to formally ask that a separate grand jury be impaneled to consider the Madison investigation. Macy said that a second grand jury is needed because the court’s regular grand jury does not have time to handle the case.

"It’s a time problem, which is causing hardships for individual members of the grand jury," Macy said.

The term of grand jury currently impaneled runs out in May and grand jurors normally meet one Tuesday a month and additional days depending on the workload.

Reasoner told him to file a formal request with the court.

Macy also told Reasoner that he will seek a superseding indictment in the coming weeks against David Hale, a former Little Rock municipal judge who is scheduled to stand trial March 28 for defrauding the Small Business Administration. Hale has publicly charged that Clinton was among those who pressured him to make an improper SBA loan to a company owned by Susan McDougal, one of Clinton’s partners in Whitewater.

Staff writers Kenneth J. Cooper in Washington and Susan Schmidt in Little Rock contributed to this report.
Judges Preserve Iran-Contra Material but Delay Walsh Report

By Walter Pincus
Washington Post Staff Writer

A three-judge panel yesterday ruled against deleting material from the final report on the Iran-contra investigation by independent counsel Lawrence E. Walsh but delayed release of the controversial volume 10 days to permit appeal to the Supreme Court.

Lawyers representing former president Ronald Reagan and former attorney general Edwin Meese III, who were among those seeking to block disclosure of the report's accusations against their clients, indicated yesterday they were considering an appeal to the high court, according to sources.

Yesterday's opinion of the three appellate judges, written by Reagan-appointee David S. Sentelle, sharply criticized Walsh's report as "rife with accusations of guilt of criminal conduct against persons never indicted or convicted."

But the judges ruled that release of the report is in the public interest. "Rather than extend the controversy over the supposed, reported or suspected contents of the report, we have determined that the public interest will be served by actual disclosure," the opinion said.

Yesterday's decision came five months after Walsh, as required by the independent counsel law, turned over to the special judicial panel a sealed copy of the report of his seven-year investigation. The Iran-contra scandal involved sale of arms to Iran in the mid-1980s in exchange for the release of U.S. hostages, as well as diversion of some arms sale profits to aid contra rebels in Nicaragua.

By law, Walsh was required to produce "a detailed and official record" of his activities, including "the reasons for not prosecuting any matter within [his] prosecutorial jurisdiction . . ."

But the 81-year-old independent counsel, sources said, had used the report as a vehicle for making public material that would have come out during a trial of former defense secretary Caspar W. Weinberger and had been overlooked during the 1988 trials of former White House aides Oliver L. North and John M. Poindexter. Weinberger was pardoned in December 1992 by then-President George Bush.

North and Poindexter, although found guilty in jury trials, had their convictions overturned because the courts determined tainted evidence had been used during the grand jury process and at the trial.

"The report repeatedly accuses named individuals of crimes," yesterday's opinion said, "although in many instances the individual was never indicted; if indicted, was never convicted; or if convicted, the conviction was reversed."

The accusations contained in Walsh's report, the panel said, "include charges that named individuals were guilty of a conspiracy charged in a count that was dismissed before trial, [and] that various named public officials engaged in efforts to obstruct justice, where such individuals were never indicted, let alone convicted."

In recommending the report's release, the judges said they did so "with the recognition that the rights of those persons accused of crimes for which they were never convicted are being compromised."

In a statement yesterday, the Landmark Legal Foundation, which represents Meese, noted the court's acknowledgment of "Walsh's abuses against persons who were not indicted."

It said the issue was "the constitutional rights of individuals to be protected from false, defamatory accusations by a system and prosecutor run amok."

While not saying exactly what it planned to do, the foundation said it "will continue to take all steps necessary" to protect Meese's constitutional rights. The only step left for the foundation, one source said, is to appeal to the Supreme Court.

Under court procedure, Chief Justice William H. Rehnquist, who has responsibility for the D.C. Circuit, would be the one to determine whether to grant a stay and thus further delay release of the Walsh report. Thereafter, it would take four justices to have the matter brought before the court for a hearing.
Policy of Funding Abortions After Rape or Incest Questioned by Dole

By Spencer Rich

Policy of Funding Abortions After Rape or Incest Questioned by Dole

Senate Minority Leader Robert J. Dole (R-Kan.) said yesterday that Congress should look into the question of whether a law passed last summer was designed to require all states to pay for Medicaid abortions for low-income women in cases of rape or incest.

The Clinton administration, in a recent directive, told all state Medicaid programs that they must fund abortions for poor women in cases of rape or incest. Officials said Thursday this was based on the new federal law and on court precedents and was not an arbitrary policy decision.

But Dole, in a telephone interview with Kansas reporters, said he thinks Congress should review whether the law was designed to make states provide abortions in cases of rape and incest. "I'm not sure that was the intent," Dole said.

For a dozen years, congressional appropriations amendments sponsored by Rep. Henry J. Hyde (R-Ill.) have forbidden state use of federal matching funds to pay for Medicaid abortions unless the woman's life is in danger. A number of states have parallel laws forbidding state funding of abortions except to save the life of the woman.

But last summer Congress broadened the federal exception to include pregnancies resulting from rape or incest as well.

The administration announced last week that it had concluded this law required states to provide abortions in all three situations, rather than giving them a choice in rape and incest cases.

The administration position was explained this week by federal Medicaid-Medicare director Bruce C. Vladeck in a letter to Ray Hanley, who heads the Arkansas Medicaid program and the State Medicaid Directors' Association. The letter, released Thursday, said states cannot refuse to provide medically necessary Medicaid services that are authorized by federal law.

"Courts have held that when state laws have sought to restrict medically necessary physician services, such as abortion services, those restrictions were permissible only if consistent with federal law," said Vladeck in response to complaints by Hanley that some state laws forbid funding of abortions following rape or incest.

"The decision to implement this policy was not discretionary. Under the Supremacy Clause of the Constitution, when state statutes or constitutions conflict with federal law, the federal law takes precedence by preemption." Alternate federal official said that in 1979 and 1980, four U.S. Circuit Courts of Appeal had enunciated the principle that state Medicaid programs must provide abortion benefits of the same scope as provided in federal law, unless Congress has expressly stated they can provide less.

"This is not an optional policy decision. It is mandated by these precedents," said the official.

Douglas Johnson, legislative director of the antibarbor National Right to Life Committee, said, "Congress never intended to invalidate state limitations on tax-funded abortions—and this administration last year repeatedly said it would not do so."
U.S. to End Sale of Confiscated, Surplus Guns to Dealers

By Pierre Thomas  Washington Post Staff Writer

The General Services Administration, in keeping with the Clinton administration’s efforts to place curbs on guns, has ended a nearly 30-year-old practice of allowing federally licensed gun dealers to buy confiscated or surplus firearms from the government.

Federal regulations allow GSA to grant federal agencies waivers to sell guns that agencies no longer want or firearms they have seized from criminals. Since 1982, the program has authorized sale or exchange of 61,901 guns by various federal agencies, including the Internal Revenue Service, the Customs Service, the Immigration and Naturalization Service, the State Department and the Drug Enforcement Administration. The agencies typically use the money to buy new weapons or to defray administrative costs. GSA had no estimates on the dollar amount of the sales.

In October, GSA Administrator Roger W. Johnson became concerned about the waiver requests coming to him for approval, agency spokesman Hap Connors said. Johnson began consulting with a number of administration officials, including Attorney General Janet Reno, and concluded that given the level of violence in the country, the program “didn’t make a lot of sense.”

GSA “in the future will not grant waivers from existing regulations prohibiting the donation, sale or exchange of firearms,” said Johnson, who issued the directive Wednesday. The action blocks waivers pending for sale of about 36,800 guns. GSA’s new policy reflects the administration’s activist stance on gun control.

The administration supported the recently mandated federal five-day waiting period for handgun purchases and is backing a number of other measures, including a ban on certain semiautomatic assault-style weapons and an overhaul of the federal licensing process for dealers. The Justice Department, at Clinton’s request, is also studying the possibility of a licensing system for handgun buyers.
Court Orders Rehearing in Case of Gay Ex-Midshipman

By John Lancaster
Washington Post Staff Writer

The full federal appeals court in the District of Columbia yesterday opted to rehear the case of Joseph C. Steffan, who is seeking an officer's commission following his expulsion from the Naval Academy in 1987 for acknowledging he is homosexual.

Last November, a three-judge panel of the U.S. Court of Appeals for the D.C. Circuit ordered Steffan reinstated to the Navy on grounds that the Pentagon's previous ban on homosexuals was unconstitutional. The Defense Department is in the process of implementing a less restrictive policy. But gay rights advocates seeking full equality for homosexual personnel viewed the Steffan ruling as an important precedent in their favor.

Yesterday's three-paragraph ruling by the full appeals court does not reverse the Steffan decision or express any opinion on its merits. But it could represent a setback for the gay movement because the full court is more conservative than the original three-judge panel and presumably would not have granted a rehearing unless some judges had doubts about the validity of the panel's ruling.

At the same time, the ruling poses an awkward legal and political challenge to the Pentagon. That is because the government, after considerable internal debate, had decided not to appeal the panel's constitutional holding. The administration chose to restrict its challenge to the reinstatement order because it did not want to defend a policy President Clinton had called unjust and pledged to overturn.

Now, however, the government has no choice but to argue that the old policy is constitutional. Given that the old and new policy share many principles, an adverse ruling could complicate the government's efforts to defend the new version in court.

That outcome is far from assured, however. In effect, yesterday's ruling suspends the panel's order pending a review of the case by the full court. The full court will then decide on the validity of the earlier ruling.

In another development, the Pentagon's civilian personnel chief asked the military to reconsider cases of service personnel who have declared their homosexuality during the transitional period between the old and the new policies that began last Feb. 5. Edwin Dorn, the assistant defense secretary for personnel, urged the services to give these servicemembers the option of returning to active duty while their cases are considered under the new policy. The new policy permits homosexuals to serve as long as they remain silent about their orientation and do not engage in homosexual acts.

A Pentagon official said Dorn's memo could lead to reinstatement—at least temporarily—for "about a dozen" gay service members now in legal limbo. One, Navy Lt. Tracy Thorne, was on his way back to active duty yesterday. U.S. District Judge Stanley Sporkin approved an agreement between the government and Thorne's attorneys that will allow the 27-year-old aviator to serve while his case is considered in light of the new policy.

"I'm excited," Thorne said yesterday. "Every day that an openly gay person serves in our military duty just shows how foolish this policy is." Thorne declared his homosexuality in 1992 on a national news broadcast.
Information Scarce on Range Lands
Not Enough Known to Set Policy on Management, Study Reports

By Tom Kenworthy
Washington Post Staff Writer

In a report that could complicate administration plans to overhaul grazing policies on federal lands, the National Academy of Sciences has concluded that so little is known about the ecological condition of U.S. range lands that it is extremely difficult to determine how they should be managed.

"This lack of information goes to the very heart of the current debate over grazing fees and environmental standards," said F.E. "Fee" Busby, a range scientist who chaired the academy panel that conducted the four-year study released Thursday.

"Because fundamental questions about the condition of U.S. range lands cannot be answered," Busby said, "our ability to make decisions about their proper use and management is severely, seriously impaired."

Release of the 180-page report came as Interior Secretary Bruce Babbitt and his staff are rushing to complete a thorough overhaul of regulations governing cattle and sheep grazing on more than 260 million acres of land managed by Interior's Bureau of Land Management and the Agriculture Department's U.S. Forest Service.

In addition to more than doubling the current fees charged to ranchers for public forage, those regulations significantly will tighten environmental requirements to reduce the impact of overgrazing on sensitive areas in the arid West.

Careless grazing practices can lead to soil erosion and compaction, degradation of important stream and riverbank habitat and dominance by non-native and noxious plant species.

But the NAS report concludes that current scientific information on the roughly 770 million acres of federal, state and private range lands is so inconsistent and fragmentary that it does "not allow investigators to reach definitive conclusions about the state of range lands."

Critics of Babbitt's plan seized on the report as evidence that the Clinton administration should engage in a far more thorough public debate before proceeding. The Interior Department expects to publish proposed new regulations as early as March.

"Today's report underscores the need for the secretary of interior to wait and benefit from comprehensive congressional hearings on grazing issues prior to taking administrative action to change America's grazing policies," said Sen. Pete V. Domenici (R-N.M.) in a statement released by his office. "The last thing we should do is hurry decisions that have far-reaching effects on western states," added Domenici, who spearheaded a successful Senate effort last year to thwart legislative enactment of Babbitt's grazing proposals.

A spokesman for Babbitt drew different conclusions.

"Our objectives are compatible with the framework for range guidelines and standards that are talked about in this report," Jay Ziegler said. "It's certainly not a signal to slow up."

The academy panel recommended that the federal government develop minimum standards for gauging range land health, draw up criteria for evaluating whether those standards are being met and create a multiagency task force to monitor and inventory the health of federal range lands.
N.Y.'s Cuomo to Seek Reelection

By Dan Balz
Washington Post Staff Writer

New York Gov. Mario M. Cuomo (D) announced yesterday he would seek a fourth term in what could be his most difficult campaign since he won the office in 1982.

Cuomo ended the ritual guessing game over his reelection intentions late in the day by issuing a three-page statement in which he said, "I want to finish the job I have begun."

Cuomo said he had begun to help the state escape the deep recession of the past few years and said his experience was a crucial advantage to New York residents.

"I know I can help the state again," he said. "I know what needs to be done because I've done it before."

If he is elected again and serves out the full four-year term, Cuomo will eclipse former governor Nelson Rockefeller's record tenure. Rockefeller was elected four times and served 15 years, leaving office to become vice president in 1974.

A recent Marist College poll showed that only one-third of New Yorkers rate Cuomo's job performance as good or excellent, while the rest rated his performance as fair or poor. Although 57 percent said Cuomo had generally been a good governor, 50 percent said they did not want him to run for another term compared to 40 percent who said he should.

Given those findings and the country's general anti-incumbent climate, Cuomo sought to cast himself as the underdog in his coming campaign, but said, "It's not the first time I've been in this position."

In 1982, Cuomo upset then New York mayor Edward Koch to win the Democratic primary and later narrowly defeated conservative Republican businessman Lew Lehrman to become governor.

He quickly captured national attention as one of the party's leading liberal voices and his keynote speech to the 1984 Democratic National Convention propelled him to the front ranks of the party and a logical presidential candidate.

But twice, first in 1988 and then again in 1992, he decided not to run for president. His chronic vacillation peaked in late 1991 when he unexpectedly pulled back from a candidacy even as a chartered airplane waited on a tarmac to take him to New Hampshire to file papers for the primary there.

The decision surprised even some of his closest advisers and made him the butt of comedians' jokes.

Last year, he was on President Clinton's short list to fill a Supreme Court vacancy, and again surprised many of his advisers by asking Clinton not to consider him for the job.

Cuomo faces a potentially crowded field of Republican candidates, but none is particularly well known. Sen. Alfonse M. D'Amato (R-N.Y.), who was considered the strongest potential candidate among the Republicans, briefly considered the race but backed down from challenging Cuomo.

MIT President 'Sorry' for Radioactive Tests

By Christopher B. Daly
Special to The Washington Post

BOSTON, Jan. 7—The president of Massachusetts Institute of Technology today expressed "concern" and "regret" over reports of Cold War-era experiments by MIT researchers who allegedly fed radioactive tracers to retarded youngsters without their informed consent.

In a written statement, President Charles M. Vest, who launched an inquiry last week into MIT's role in the testing, stressed that only "minute amounts" of radioactive iron and calcium were used in the recently disclosed nutrition studies at the Fernald State School for the retarded in Waltham, Mass.

According to Vest, "The research used as diagnostic tracers of the digestive process minute amounts (less than one-billionth of an ounce) of radioactive iron and calcium. The exposures to radiation were between 30 percent and 99 percent below the much more stringent standards that are in effect today."

Vest's statement also said that at the time, it was not customary for researchers to obtain consent from test subjects. Instead, he said, subjects were informed by their doctors.

Nevertheless, Vest acknowledged the studies may not have been conducted properly.

"I was sorry to hear that at least some of the young people who participated in this research and their parents were unaware that the study involved radioactive tracers," Vest said. "People should not unknowingly become the subjects of research studies of this type."

Vest said, adding MIT now has "numerous safeguards" to ensure that all human research subjects grant informed consent before experiments.

"It is important to recognize that the purpose of these studies was to improve understanding of nutritional processes in order to promote health of young people," Vest said.

Asked why Vest was issuing such a statement at this time, MIT spokesman Ken Campbell said, "Basically, it seemed the decent thing to do."
Unemployment Rate Fell Slightly in Dec.

Figures Seen as Signaling Low Inflation

By Martha M. Hamilton
Washington Post Staff Writer

The nation's jobless rate dropped slightly to 6.4 percent in December, and the number of jobs nationwide increased modestly—news that the financial markets and economists viewed as reassuring signs that economic growth would be steady but not strong enough to revive inflation.

The unemployment rate fell to the lowest level since early 1991, down from 6.5 percent in November, the government reported yesterday. The November number, however, was revised upward from 6.4 percent initially reported a month ago. The adjustment was made to reflect seasonal variations.

The number of jobs was up by 183,000, a smaller number than many forecasts had anticipated.

The reports from the Labor Department were read, as good news, partly because the prospect of moderate growth helped ease fears that the Federal Reserve Board would increase short-term interest rates to control inflation.

"The economy is on track for steady economic growth in 1994," said Laura D'Andrea Tyson, chairman of the Council of Economic Advisers. She noted that pressures that could lead to inflation appeared to be "tame."

Bruce Steinberg, a senior economist with Merrill Lynch & Co., said the Labor Department's unemployment release "is another good report in indicating that there really aren't significant inflationary pressures in the economy."

John E. Silvia, chief economist for Kemper Financial Services Inc. in Chicago, said that "steady growth, not a boom, is what is implied by December's employment data."

The Dow Jones industrial average was up 16.89 points yesterday, closing at a record 3820.77. The bond market also was up, as the yield on 30-year Treasury bonds declined to 6.22 percent from 6.34 percent.

Bond prices move inversely with interest rates.

The figures released by the Labor Department underscored changes underway in the nation's economy. The largest increases in the number of jobs were in the temporary employment industry, restaurants and the health care industry, while manufacturing employment was little changed.

The number of workers who have been jobless for six months or more, about 1 out of 5 of every persons unemployed in December, has declined little since a high reached in the fall of 1992.

Labor Secretary Robert B. Reich had forewarned some of the news that was officially released yesterday, by predicting on Thursday that the government would report a jobs increase of 160,000 to 200,000. Reich's statement, the day before the figures were to be released, created a strong reaction in the bond market, where many analysts had expected an increase of more than 200,000 jobs.

Several Wall Street analysts expressed concern about Reich's remarks and their timing. Merrill Lynch's Steinberg said they were "troubling." David Jones of Aubrey G. Lanston & Co. told the Reuters news service, "It just isn't the way things are done. It can be very destabilizing to the financial markets."

The Labor Department yesterday said Reich was not leaking data. A spokesman said that Reich does not see the figures until the morning of their release, and that his forecasts were based on the range of numbers of jobs created in the past few months.

According to the Labor Department's survey of employers, total payroll employment in December was 111 million, after adjustments were made to reflect seasonal variations. Another department measure of employment, conducted by surveying households, indicated that employment grew by 329,000 in December to a total of 120.7 million.

Locally, the unemployment rate in the Washington metropolitan area, dropped from 4.4 percent to 4.1 percent in November. Local figures on joblessness lag a month behind the federal report. The jobless rate in the District increased from 7.7 percent in October to 8.1 percent in November, while unemployment in the suburbs declined from 4.0 percent to 3.6 percent.

Maryland's unemployment rate dropped from 6.0 percent in October to 5.5 percent in November. In Virginia, unemployment dropped from 5.1 percent to 4.9 percent in November.
Rock Musician's Conviction Prompts Cancellation of Ad on Condom Use

By Spencer Rich
Washington Post Staff Writer

Federal health officials yesterday abruptly canceled one of their new public service ads promoting condom use after learning that a rock musician featured in the spot had been convicted of indecent exposure and sexual battery in 1990.

The Centers for Disease Control and Prevention (CDC), part of the Department of Health and Human Services, has ordered the immediate withdrawal of its AIDS-prevention public service announcement for radio featuring Red Hot Chili Peppers singer Anthony Kiedis," HHS said in a statement.

The CDC took the action "upon learning from news reports that Kiedis was convicted in 1990 of misdemeanor charges stemming from a 1989 incident at George Mason University.

"We do not feel he is an appropriate spokesperson," said CDC director David Satcher.

The new CDC campaign, announced Tuesday with great fanfare, is aimed at young people. The $900,000 project included 13 television and radio ads designed to prevent the spread of AIDS and other sexually transmitted diseases by encouraging the use of condoms and promoting sexual abstinence.

The text of one of the radio ads says: "I'm Anthony Kiedis of the Red Hot Chili Peppers. I've been naked on stage. I've been naked on magazine covers. In fact, I was born naked and of course, I'm naked whenever I have sex. But now I'm on the radio. So I might as well get naked again. There, I'm naked, see? And what I have here is a condom. A latex condom. I wear one whenever I have sex. Not whenever it's convenient. Or whenever my partner thinks of it. Every time."

According to news services and newspaper reports, Kiedis was convicted on April 3, 1990, of sexual battery and indecent exposure in a Fairfax County Circuit Court.

Kiedis was accused of improper behavior toward a woman outside the band's dressing room, including touching her face with his penis, after a concert at George Mason University on April 21, 1989.

Kiedis, who denied touching the woman, was fined.

Satcher, in canceling the ad, said he had ordered the "advertising agency responsible for these ads, Ogilvy & Mather South, to provide us with a detailed report about the recruitment and selection of Mr. Kiedis."

Donna E. Shalala, secretary of HHS, said she was "outraged about the background of Kiedis," according to an HHS statement.

Shalala backed Satcher's decision to pull the ad but said, "We must not allow a single ad to overshadow the vital lifesaving message in the campaign." Officials said other ads would be unaffected.

Just when and how Satcher learned of the 1989 incident and subsequent conviction were not made clear.

"Not only should this ad be pulled but all the ads should be pulled," said Gary L. Bauer, president of the Family Research Council, a conservative think tank and lobbying group on family issues.

"The ads with or without this gentleman are lewd and the concept is lewd. What I'm against is the federal government using taxpayers' money to bring explicit advertising of this nature into the living rooms of millions of Americans who are offended by them."

Bauer said his group had been pursuing reports about Kiedis's background for several days, along with several other groups who wanted to bring the information to public attention.

Neil Cameron, president of Ogilvy & Mather South, headquartered in Atlanta, said yesterday that "Ogilvy & Mather South apologizes and accepts full responsibility for recruiting and selecting Anthony Kiedis to appear in this new public service announcement."

"As part of the talent negotiation process, we require full disclosure of prior criminal arrest and convictions. As requested by the CDC, we are withdrawing the new ad and eliminating all distribution."

Cameron said that as soon as the firm was informed about Kiedis's 1990 conviction, "we eliminated the spot from our campaign."
Secretary of State Warren Christopher said yesterday that NATO leaders will seek a coordinated approach to ending ethnic strife in Bosnia-Herzegovina at their summit meeting next week, but he stressed the United States does not want discussion of the Balkan civil war to dominate the meeting.

Speaking with reporters on the eve of President Clinton's departure today for Brussels, Christopher said the focus of the NATO summit should be on a plan that would expand alliance relations with former Soviet bloc countries but defer action on Eastern European requests to become full NATO members.

"That's the centerpiece of the NATO discussion," Christopher said of the plan, dubbed "Partnership for Peace.

But he acknowledged the summit will have to address the continuing differences between the United States and Europe about how best to halt the bloodshed in Bosnia.

France, in particular, is waging a campaign to pressure the United States into joining the Europeans in military measures to stop the fighting and enforce peace. The French want NATO leaders at the summit to endorse a European Union peace plan.

They also want immediate U.S. military action to facilitate delivery of humanitarian aid to besieged Bosnian Muslims and a U.S. commitment to participate militarily in a multinational force that would police a peace agreement.

Last August, NATO threatened to bomb Serb artillery positions unless Serb forces halted their stranglehold on the Bosnian capital, Sarajevo.

The Serbs did stop their attacks for several months, but now have resumed heavy shelling of Sarajevo. While NATO warplanes are flying patrols in the area, they have not made any strikes against the Serbs.

Asked whether that might change, Christopher said NATO's authorization of airstrikes "remains a valid resolution" and the situation in Sarajevo "is under constant review by the United States and NATO."

He added, "I would expect that we'll come forward with a coordinated position as we have in the past."

Following the NATO summit, Clinton will go to Prague hoping to receive endorsement for the Partnership for Peace from leaders of the Czech Republic, Poland, Hungary and Slovakia.

The partnership plan is intended as a compromise to ease fears of these former Soviet bloc members about their vulnerability to a possible resurgence of Russian expansionism. However, the United States does not want to give them full NATO membership—with its provisions for automatic alliance protection if they are attacked—because of Russian opposition to NATO's expansion eastward.

A study issued yesterday by a group of former U.S. diplomatic and defense officials and members of Congress recommended that NATO take "a differentiated and graduated approach" to admitting new members by considering each applicant's security needs and ability to assume alliance responsibilities.

The study, done for the Center for Strategic and International Studies, criticized the Partnership for Peace program for focusing exclusively on military factors, and it said NATO should help promote Eastern Europe's political and economic stability.

The project was chaired by former defense secretary Harold Brown and former secretary of state Alexander M. Haig Jr. Among the participants from Clinton's Democratic Party were former Secretary of State Cyrus R. Vance and Sen. Sam Nunn of Georgia, chairman of the Armed Services Committee.

Clinton also will travel to Moscow on the nine-day trip in a show of support for Russian President Boris Yeltsin, whose attempts to bring about far-reaching economic reform have caused hardships and stirred a resurgence of nationalist feeling in many parts of the Russian populace.

The big vote won by nationalist candidates in last month's parliamentary elections has stirred debate about whether the wealthy Western nations providing financial aid to Yeltsin's government should ease their insistence on continued, fast-paced reform.

Treasury Secretary Lloyd Bentsen told reporters yesterday that the West and international lending institutions such as the International Monetary Fund need to pay more attention to easing the pain that reform is causing Russia. But he stressed that some pain cannot be avoided if Russia is to shed the legacy of 70 years of communism.

"Russia needs more reform, not less, and there's more work to be done."
France Intensifying Pressures For U.S. Military Role in Bosnia

By William Drozdiak

FRANCE, From A15

quest for a political solution. He said the conflict in Bosnia is a "capital question" that NATO leaders cannot ignore since it poses grave security dangers for the entire alliance and not just Europe.

Juppe said it is imperative for the allied leaders to spell out their support for a European Union (former European Community) plan that would partition the country into three small states, and to reaffirm their willingness to send troops to enforce a peace agreement once it is signed by the parties.

French Defense Minister Francois Leotard called for immediate U.S. military action to help open an airport in Tuzla and enable an armored column of Danish troops to reach the Muslim enclave of Srebrenica. French military sources said they believe the United States could fulfill the task with aircraft based in Italy, requiring few or no ground forces.

Prime Minister Edouard Balladur urged the United States to become more directly involved, suggesting dispatch of ground troops because "the more countries that are represented, the larger the U.N. forces, and the better that would be."

Efforts by Bosnia's Serbs and Croats, along with the Muslims who dominate the government, to agree on a partition plan have stagnated because the Serbs refuse to cede any more of the land they have seized, while the Muslims insist on a safe corridor to the sea.

France, Britain, Canada and Spain have warned that the situation is becoming intolerable for the 30,000 U.N. troops helping to deliver humanitarian aid. Those countries provide the bulk of the soldiers but have warned that they may pull out the forces by spring if the situation does not improve.

Gen. Jean Cot, the French officer who commands U.N. troops in the Balkans, said today that his forces are not sufficiently equipped for their protection or mandate. Cot said he repeatedly had sought authority from U.N. Secretary General Boutros Boutros-Ghali to call in airstrikes against Bosnian Serb forces. Since then, Washington has shown no inclination to renew the airstrike option.

France has long urged the United States to dispatch ground troops to reinforce European peace keepers in Bosnia. But the United States has insisted that it will send troops to enforce a peace agreement only if Congress approves and only if the right is reserved to terminate participation. Burned by its experience in Somalia, the administration has given no sign of willingness to change that stand.

In a meeting with European reporters, Secretary of State Warren Christopher acknowledged that Bosnia would be discussed and the allies hope to reach a "coordinated position." He was quoted by the newspaper Le Monde as saying that military intervention, such as bombing, would be a "decision with heavy consequences" and noted that this step would endanger humanitarian operations on the ground.

Juppe said it is critical to "break the process of war" and revive the

See FRANCE, A18, Col. 3
Russian Anti-Reform Coalition Seen
Communists, Nationalists May Join Forces in New Parliament

By Lee Hockstader
Washington Post Foreign Service

MOSCOW, Jan. 7—Communists and nationalists in Russia's new parliament appear to be forging an alliance to oppose President Boris Yeltsin's reforms and take control of key legislative committees, a top Yeltsin aide said.

Economics Minister Yegor Gaidar said in a radio interview late Thursday that the largest pro-Yeltsin party, Russia's Choice, which Gaidar heads, was pulling out of talks underway among the various blocs in the new legislature on the appointment of a speaker and other important decisions. The new parliament is scheduled to begin meeting Tuesday.

Ever since the breakup of the Soviet Union, there have been warnings that an alliance between Communists and nationalists would constitute a grave threat to Yeltsin's government and the future of democracy in Russia. Gaidar's comments are the strongest indication so far that such a partnership is becoming reality.

"In the course of these negotiations, especially in recent days, we have seen the clear emergence of a close coalition of [extreme nationalist] Liberal Democrats, Communists and Agrarians [who are] ... imposing their decisions," Gaidar said, explaining his bloc's decision to withdraw from the talks. "We do not want to take part in this."

In Russia's legislative elections last month, the Liberal Democratic Party, led by extreme nationalist Vladimir Zhirinovsky, was unexpectedly successful, and Communists also did well.

But Communist leaders said they disagreed with the nationalists on many issues, and there were doubts about whether they could make common political cause in the legislature. Yeltsin's government even tried to court the Communists in a bid to block a coalition with Zhirinovsky.

But reports today indicated that a deal is being struck among the Communists; their rural kin, the Agrarians; and the nationalists. The three groups together control a plurality of the 450 seats in the lower house of parliament. The lower house, known as the State Duma, is the more powerful body in the two-chamber parliament.

According to the Russian news agency Interfax, which quoted an unnamed aide to Gaidar, the deal would hand Zhirinovsky's party control over the legislative committees on foreign affairs and defense in the Duma.

Zhirinovsky has called for the restoration of the Soviet Union's borders and has offended most of Europe and the West.

The Communists, who did much to ruin the Soviet economy, would control the committees on economic policy and security, according to Interfax, and the Agrarians would oversee panels on legislation and the judiciary.

If such a deal is reached—and if the anti-reform elements in the legislature have the votes to make it stick—it would likely mean a nightmare scenario for Yeltsin.

While the newly approved Russian constitution gives the president far more power than the parliament, Yeltsin can ill afford another political battle of the type that led him to disband the last legislature with tank shells last October.

"We have much work to do to achieve the formation of a coalition strong enough to prevent the Duma becoming an instrument for the destruction of democracy," Gaidar said.
THE OTHER YELTSIN

The Shy First Lady Who Lives Like the Rest of the Russians

The Washington Post
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By Helen Boldtreyf Semler
Special to The Washington Post

Naina Yeltsin leans closer, tightening the grip of her hands in her lap. "We live in fear for my husband's life," she says. The softly contoured face with typically Russian high cheekbones, framed by cropped russet hair, is amazingly fresh and uninlined. The eyes are serious, but serene. There is no pathos, only a terse statement of fact.

Long after the October storming of the White House, the parlor had been turned into a Moscow hotel by troops loyal to her husband, Naina Yeltsin still finds it hard to talk about the days when Russia stood on the brink of civil war. "It was terrible," she says, worse than anything she had lived through in a lifetime of political tumult.

At midday on Sunday, Oct. 3, Boris Yeltsin, the first democratically elected president of Russia, left the dacha outside Moscow that the Yeitson has reluctantly taken over from the Gorbachevs ("Who in the world needs that many bathrooms, TV sets and servants?" asks Naina). She heard from him only once during the 3-day crisis as he worked feverishly in the Kremlin on the strategy for ending the mutiny.

Boris Yeltsin had waited tense weeks in the hope of a peaceful solution, but when the demonstrators attacked the main TV station, and Vice President G. Alex­ander Rutskoi, hero of the Afghan war, asked his followers to charge the Kremlin, Yeltsin knew that he had to act.

"We did not close our eyes that Sunday night," Elena, the elder of the Yeitson daughters, says. But by Monday afternoon, Boris Yeltsin had survived yet another crisis.

When President and Mrs. Clinton visit Moscow next week, the world may get a rare glimpse of Naina Yeitson. Throughout the remarkable political odyssey of Boris Yeitson, his wife has maintained a discreet profile. "I am only the president's wife," she says. "I shudder at the sight of television cameras. When people call me the First Lady." But by Monday afternoon, Boris Yeitson had survived another crisis.

YELTSIN, Boris

Russian agriculture is a disaster. There are no proper pulpiliners, the killers are anti­quated and children blanch at the sight of a dentist...But what can I do? I cannot trouble my husband with this. We need so many things in Russia.

Naina Yeitson's dream was conveyed to Hilary Rodham Clinton, who asked Ambassador Richard Armstrong to arrange for dental equipment to be sent from a U.S. Army post in Germany to the Moscow Central Institute of Stomatology. More was to come: 40 containers of medical equipment and supplies worth more than $4 million were en route to Children's Hospital No. 1 in Moscow. This facility is being remodelled through a joint project of Norfolk and Children's Hospital and a foundation headed by National Symphony Orchestra conductor Mislovak Rostropovich, who gave a concert in Red Square a week after the storming of the Russian White House. All in all, as part of Operation Provide Hope, nine Russian hospitals will receive $38 million worth of equipment and supplies from hospitals being dismantled by the Army's 7th Medical Command in Germany.

In addition, the First Ladies meet next week, work may begin on the first private U.S.-Russian hospital in Moscow, under their joint chairman­ship.

The two women have met before, during the Tokyo G-7 summit last July. Naina Yeitson was impressed with Hilary Clinton, whom she describes as an "American woman of the new genera­tion, on top of her job both as the president's wife and as a lawyer...I cannot tell you how much I admire her." Both professionals and both wives of prominent politicians who became heads of state, the women found many common interests during their Tokyo talks, which, all said, Naina Yeitson praised Mrs. Clinton's work on health care.

She is eager to show Mrs. Clinton the new facilities at the Central Institute of Stomatology. She also hopes to introduce her to Russian culture, the art and the music that require no interpretation. She is particularly keen on showing the paintings of late-19th-cen­tury Russian masters, virtually un­known to the American public.

And Naina Yeitson is looking forward to conveying her personal gratitude to the Clintons for the strong stand taken in support of her husband during the fateful days of October.

The upcoming meeting will be Naina Yeitson's third encounter with a U.S. president and First Lady. The first was with Barbara Bush. She displays prou­dly a large framed photograph taken of her and George Washington, who had said, "I walk on un trodden ground." Just as every­thing Washington did set the preced­ent for future U.S. presidents, she thought, Boris Yeitson was creating precedents for the course of Russian democracy.

A Family of Technocrats

Born Anastasia Girina to a family of poor peasants in the southeastern Russian town of Orenburg in 1932, the young Naina knew work, privation and political repression. Her father survived Stalin's brutal collectivization of Russian agriculture, though the family's crucial farm livestock was con­fiscated. But if Naina's family fared better than that of Boris's, whose father was taken from his farm and shot, tragedy lurked in its future. The father she adored was killed in 1968 as he stood in the way of a drunken motorcyclist to protect her mother.

Naina Girina and Boris Yeitson met at the Ural Polytechnical Institute in Sverdlovsk, one of the Soviet Union's leading engineering schools. They re­ceived their degrees in construction engineering in 1956. Boris Yeitson wrote in his memoirs: "I fell in love with her then, tenderhearted and good, for the rest of my life. She ac­cepted me the way I was, stubborn and prickly."

As Boris made his way up the Soviet ladder, Naina concentrated on their fam­ily and on supervising large projects for

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the Institute of Watercraft in Sverdlovsk, where her husband was studying. There were not many free moments for the Yeltsins in Sverdlovsk, especially after their daughters were born. Elena in 1957 and Tanya in 1958. They celebrated Sundays at the Bolshoi Ural restaurant, where they ordered ice cream for all. Holidays were filled with escapes of camping, hiking and boating. Elena followed her parents' example and became a construction engineer. Tanya became a computer technician. "We are a family of technocrats," says Naina. The Yeltsins moved to Moscow in 1986, when Gorbatchev summoned Yeltsin to the prestigious position of first secretary of Moscow's Communist Party Committee.

Gorbatchev made a serious mistake. The "stubborn and prickly" Yeltsin broke all party high-shot rules by taking the Moscow trolleybuses and letting his wife stand in the long lines at the stores. He wanted to know firsthand the living conditions of the 9 million Muscovites. They in turn appreciated his willingness to share their problems. Soon he became the most popular politician in the Soviet Union.

Moscow Retreat

In a four-room apartment in an unattractive section of the city, Naina Yeltsin has re-created the family home. The Yeltsins lived there with daughter Tanya and her husband and their only grandson, 12-year-old Boris, until recently, when they were forced for security reasons to spend most of their time at the dacha. Even by Moscow standards, the apartment is nothing special. Seated facing the television, Naina Yeltsin pats the arm of a comfortable red velvet chair.

"It needs reupholstering," she says. "In fact, all of our furniture needs reupholstering. We brought it with us from Sverdlovsk." She surveys the sofa and several more chairs covered in the same fabric. "It's old but homey," she says.

The same simplicity describes Naina Yeltsin. She wears little jewelry and dresses in subdued clothes made locally. Warm and unassuming, she says she dreads causing problems for anyone. But she is always the analytical engineer, wanting to know how things run. Although she is an art lover, when she visited the National Gallery of Art in Washington last year, the innovative architecture of the East Building roof caught her attention as much as the exhibit she saw. When she visited a soup kitchen with Barbara Bush, she was not satisfied until she had mastered all the details—the caloric content of the food, the number of people fed each day, the cost of the program.

In her own kitchen she cooks her specialty, the Siberian dumplings called pelmeni, her family's favorite dish. Boris will arrive at 10 p.m. or later, eat, watch the late news and then resume work. Naina sleeps only when he does—which is about four hours a night.

She worries very much about her husband. Many years ago she watched him come out of a huge crane rearing Goods, a crane Reed in a thunderstorm. "Get down," she screamed, "the crane will collapse." But Yeltsin, then working on his first construction project, kept climbing. He brought the huge construction under control.

She knew how the White House. "My heart stopped," she says. "A few years ago, the Communist plotters had overrun the Kremlin. I was afraid, and earned on a stretcher by four KGB agents. After his dismissal, thousands of his colleagues deserted him. On Nov. 9, he collapsed and was rushed to a hospital with severe chest pains, shattered nerves and a splitting headache.

While Naina was in the hospital with Boris, a call came from the Kremlin—Gorbatchev insisted that the sick Yeltsin come to a meeting of the Moscow Communist Party Committee, at which he would be discussed as first secretary. Naina pleaded, saying that she saw no point in Yeltsin being guarded if his guards were going to kill him. But Yeltsin went, pumped full of Valium and carried on a stretcher by four KGB agents. After his dismissal, thousands of letters and telegrams, many from Sverdlovsk, poured in. Yeltsin took heart and recovered.

During the attempted coup against Gorbatchev in August 1991, Naina Yeltsin again heard only once in three days from her husband, who was holed up in the parliament building. A radio report falsely said that the hard-line Communist plotters had overrun the White House. "My heart stopped," she says. She told her daughters not to wake the grandchildren. If they were to be shot, she decided, they should die in their sleep.

"I prayed," she says.

She defends her husband against accusations of "dismembering" the Soviet Union, of being a dictator. "Dictatorism," she says, "is more difficult to govern men in a totalitarian rule. In democracy people speak, think, vote, make decisions. The power must be legitimate. This is why my husband wants a new constitution for Russia."

She defends her husband against accusations of "dismembering" the Soviet Union, of being a dictator. "Dictators want power for power's sake," she says. "Yeltsin seeks power to improve the lot of his people." But she is against his running for president. "I personally would prefer him to be just an ordinary man," she says.

Helen Baldreyer Semler, a business consultant on Russia and author of the guidebook "Discovering Moscow," served as the State Department interpreter for Mrs. Bush at her meetings with Naina Yeltsin.

The New Russia

For Naina Yeltsin, Moscow is a "suffocating" place full of dirty intrigue against her husband.

"In Moscow," she says, "my husband's hair turned white. In Moscow, I also stopped believing in communism." She soured on the system when she came to know the lifestyle of the country's elite: special stores, limousines, private clinics, all spaced with venomous backbiting.

Today she is an optimist. She sees her children's generation forging ahead despite the chaos. She worries most about the losers in the difficult transition from state monopoly to private enterprise. These are the pensioners, the old, the sick whose savings have been wiped out by inflation, those who have lost their jobs in unprofitable state industries.

In the long run, she is convinced that Russia, with its human, natural and technological resources and its high level of education, will provide a good future for her grandchildren if not her children. But the transition to democracy, to a system that permits the peoples of Russia to be heard, is absolutely essential in her view.

Many deputies opposed a new constitution, Naina Yeltsin says, because "it is more difficult to govern men in a democratic system than under the old totalitarian rule. In democracy people speak, think, vote, make decisions. The power must be legitimate. This is why my husband wants a new constitution for Russia."

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Colman McCarthy

Freedom of Religion for Indians, Too

In Reno, Nev., last month more than 1,500 representatives of about 300 tribal governments were brought together by the National Congress of American Indians. A startling, as well as politically revealing, moment occurred when a unanimous resolution was passed stating the group's top legislative priority.

For some of America's sickest, poorest and most dispossessed people, it wasn't health care reform, nor a call for more food assistance or job training programs, nor demands for land-righlts fairness. The priority was spiritual: passage of federal legislation to protect tribal religious freedom.

Constitutionally, it would appear that the religion clause of the First Amendment guarantees the worship and sacramental liberties of Indians. It does, if, say, a Seminole or Yakima is a Catholic, or a Chippewa is a Baptist or an Iroquois is a Methodist. But if a tribal member belongs to none of those imported immigrant religions and instead is in a congregation of the Native American Church—with as many as a quarter-million members and a history of devoutness going back for millennia—then the First Amendment has the power of a smoke signal on a windy day.

Supreme Court decisions in 1988 and 1990 were major defeats for tribal spirituality. The 1988 case—Lyng v. Northwest Indian Cemetery Protective Association—found that it was legal for the U.S. Forest Service to destroy a sacred ancient Indian site on federal property. Bulldozers defeated beliefs. Little protest was heard at the time, even from Christian and Jewish leaders who, in a gesture of ecumenism might have been expected to show solidarity.

The decision kept alive a 500-year pattern of discrimination. In "Native American Testimony: An Anthology of Indian and White Relations," Peter Nabokov writes: "When white men first witnessed Indians impersonating animal spirits in costume and dance, and worshiping rocks and rainbows, they failed to see this as a deep form of religious worship. To their Christian minds, these were deplorable pagan rites. Worship of more than one deity, and sacrificial offerings directed at the natural world, stamped Indians as a misguided, lesser form of mankind. Here were Christless heathens crying to be rescued from eternal damnation."

In the 1990 case, rescuing the heathens from drug abuse was on the mind of the court. In Employment Division v. Oregon, a Smith, it was ruled that the sacramental use of peyote in religious services was not constitutionally protected and states could outlaw it. In 23 states, peyote—a cactus plant eaten or taken as tea during prayers—is legal, while in 22 states it isn't. The court said that if Indians wanted uniform legal protection, they should fight it in federal legislation.

They took the suggestion. Since 1990 such groups as the Native American Rights Fund and the National Congress of American Indians have been working to build congressional support of the Native American Free Exercise of Religion Act.

The legislation would protect sacramental peyote use in all states, as well as offer protections for sacred sites. At least 44 religious grounds are currently under threat in 10 states by ski resorts, mining and timber companies, tourism, backpackers and other intruders. Another part of the proposed bill—introduced last May by Sen. Daniel Inouye (D-Hawaii), chairman of the Senate Select Committee on Indian Affairs—would require federal and state prisons to provide Indian inmates the same freedom to worship in their religion as Christian and Jewish prisoners enjoy. More than 7,000 tribal members are currently imprisoned.

Students of tribal religion know that its rites, beliefs and sacraments throng with all the vibrations found in other faiths, Western and Eastern. The Ghost Dance in Sacred Country has as much liturgical legitimacy as the Stations of the Cross in Catholic worship. The Great Spirit of which Anseweh, a Red Lake Ojibwa, wrote is as theologically relevant to Indians as the Holy Spirit is to Christians or Allah to Muslims.

Now to bring the law in line with belief.
In a 1944 decision, the Supreme Court ruled that a parent’s free exercise of her religion could be limited when the state invoked its right to regulate whether a child could sell periodicals on the streets in violation of the state’s child labor law.

The parent was a Jehovah’s Witness, and the girl was not an unwilling hawker. She believed that if she was not able to do her religious work in the streets, she would be condemned, she said, to “everlasting destruction at Armageddon.”

The Supreme Court’s decision does not work in the Chicago case. A fetus, even one so close to being a person under the Constitution, is not yet a person in law. Although this was not an abortion case, Roe v. Wade made that clear, and no Supreme Court decision since has bestowed personhood on a fetus.

But Roe v. Wade does say clearly that by the third trimester, the state has a strong interest in protecting the potential life of the fetus—even though there is not yet personhood.

That did not help the third-trimester fetus in Chicago either, because Roe limits that state interest if the life or health of the woman is affected. And though statistics vary, there is some danger to a woman who undergoes a Caesarean section.

The key problem to a pro-life civil libertarian, and we do exist—though unrecognized by the ACLU—is the forcing of a surgical procedure on a competent woman who doesn’t want it. As an ACLU lawyer for the woman in the Chicago case successfully put it in court: “How would the court enforce such an order? She would have to be dragged to the hospital, strapped to the table and put under anesthesia.” (All the courts directly dealing with this case have agreed with the ACLU.)

Also, however, the ultimate violation of the integrity of one’s body is to do away with it—as was the danger to this fetus if the Caesarean section did not take place. Before the baby was born, I asked a neighborhood pro-life activist in Chicago what she thought of the case. The woman, who has been organizing and leafleting against abortion for more than 20 years, said:

“I’m very, very leery about giving the government the power to order a woman to be operated on without her consent. This mother is not destroying her child. She is doing what she thinks is right for the child. I want the child to be saved, but oh, goodness, these things get complicated.”

“It’s a real problem,” a pro-life bioethicist said, “forcing the woman to have surgery against her will. All I can tell you is that if the mother does die, there should be a team of doctors ready to perform a post-mortem Caesarean section to deliver the baby.”

In 1981 the Georgia Supreme Court came out for the fetus in a similar situation. The mother had religious objections to surgery and to blood transfusions, but the court ordered the Caesarean section for both her health and that of the fetus, even though the woman insisted God would heal her.

In an emergency hearing, the Georgia Supreme Court decided: “The state has an interest in the life of this unborn living human being and the intrusion involved . . . is outweighed by the duty of the state to protect a living unborn human being from meeting his or her death before being given the opportunity to live.”

Before that court order was carried out, however, a healthy baby girl was born, without surgery.

On Dec. 30 in Chicago, Callian Bridgland, whose mother believes in miracles, was born healthy. Doctors said it might take more than six months to tell if there are any mental defects. But even if there are, it is not certain that a Caesarean could have prevented them.

Whether or not this was a miracle, Callian’s arrival has been welcomed by those who customarily are bitterly divided on other issues preceding birth.
But What About Bosnia?

BOSNIA IS the skunk at the garden party so far as the NATO summit is concerned. Great plans are being made to revamp the Atlantic alliance and rescue Russia. But Bosnia, first a Yugoslav failure and then a Western failure, barely has a place on the agenda. The parties in Bosnia have their own demands. For concerned outsiders, the requirement is to find a course of action that is politically feasible as well as operationally effective, That’s a narrow space. But at least their prior lapses have shamed most foreign governments into avoiding loud new appeals for impossible deeds.

Relief for all the afflicted parties remains urgent. Much aid is intercepted, but whatever food, fuel or medicine does get through feeds, warms or heals humans in distress. The French, British and others provide troops to help deliver relief on the ground. They take occasional casualties but soldier on. The United States runs an airlift but does not contribute ground troops. The reasons for its abstention are, at this point of evaporating alternatives, irrelevant. More aid would flow if President Clinton ordered American troops to join the allies on the ground.

U.N. sanctions are in place against Serbia. These hurt but do not suffice to ensure compliance with U.N. peace mandates. Still, it is inconceivable to lift sanctions against the government that enables Bosnian Serbs to keep on bombing civilian Sarajevo. Croatia has so far eluded sanctions mainly because it is regarded, and rightly, as itself a victim of Serb expansionism. But its intervention in Bosnia has richly earned it sanctions too. Bosnia’s Muslim army has far from a clean record, but the Muslims’ principal status is as a victim of others’ depredations—“ethnic cleansing.” No more than Serbs and Croats, however, should individual Muslims be spared prosecution for war crimes, if that difficult but essential process can get up steam.

International negotiators have been trying to end the war in Bosnia, and to head off its expansion to other vulnerable parts of the former Yugoslavia, by arranging a territorial sorting-out. This is manifestly cruel and unfair to the large numbers of Muslims, and also Serbs and Croats, who have been and who are still being uprooted. Yet it is also manifestly a solution closer to realization than any other. Some among Bosnia’s Serbs and Croats are fighting on to hold a larger or richer slice of territory. Some among Bosnia’s Muslims are fighting to take a larger slice. If they fight on, it should be by their decision and not by the encouragement of those who do not share their suffering and loss.

Some American officials have been heard fretting lest an early Bosnia settlement force a wobbly Washington to make good on its pledge of supplying peacekeepers. The hint that the parties would do their share and the United States would not is deeply troubling, and Mr. Clinton should remove it.

One for the Fish

SEVENTEEN years ago Congress passed legislation meant to preserve the nation’s offshore fisheries, then already depleted. The legislation has been a failure. The overfishing that it was supposed to restrain has continued. Fish stocks are dwindling. The catch off the coast of New England has had to be sharply curtailed in response to what is termed a “virtual collapse” of the groundfish stock of cod, haddock and flounder there. The regulatory authorities failed to take even that crucial action until an environmental group took them to court.

The fisheries management act is up this year for renewal. Congress should take the occasion to strengthen it as well, or there will be no fisheries left. The legislation as passed in 1976 was a study in indirection. The chief threat to the fish stocks at the time seemed to be coming from large-scale foreign fishing. The act created a zone of up to 200 miles offshore and ordered foreign boats out except with permission. Then it set up eight regional councils largely drawn from the U.S. fishing industry itself to develop management plans for each offshore fishery or major category of fish. The goal was to limit each year’s catch to an “optimum yield,” airily defined as the quantity of fish of “greatest overall benefit to the Nation,” but taking into account the need of the species to reproduce and sustain themselves. All plans were subject to approval by the secretary of commerce.

On paper there was federal regulation, though at one remove. As a practical matter the act called on an unaccustomed industry of small competitors to police itself under the gaze of a department whose chief concern is business development, in a sense the opposite of resource conservation. The task was made harder still by the fact that the fish are a resource that no one owns and, therefore, that no one has an owner’s immediate stake in conserving. What Congress should do is tilt the regulatory standard further in favor of the fish and require rather than merely allow the commerce secretary to impose the necessary restrictions on fishing when the captive councils fail to do so. Perhaps the law should also do more than now to limit entry to certain fisheries—create the ocean-going equivalent of taxi medallions—to give the exploiters of the resource a salable interest in sustaining it as well.

This is an industry that needs to be restrained so that it and the resource on which it depends can both be saved.
Cool Canadian—Bullet-Free—Air

If Canadians feel they need handguns for self-defense, they must show that their lives are in danger. Even at that, only a handful of applications are approved every year. Then you need a permit to transport a weapon, and the identifying information for that is listed in a national registry.

As it happens, guns for self-defense just aren’t that big a deal in Canada, because for some reason Canadians don’t kill each other all that much. In 1992, 753 people were killed by other people, about 3 per 100,000. The U.S. figure for the same year was 23,760, or 9.3 per 100,000.

No one should expect U.S. citizens to accept this Canadian-style disarmament. But then hardly anyone in the rest of the world can readily understand the national lust for firepower that has produced such a terrifying flow of deadly weapons in the United States—and such an outlandish death toll year after year.

What Plagiarism Is—and Isn’t

The long-running case of biographer Stephen B. Oates, accused of plagiarism by two government whistleblowers totally subverted in his field but armed with a text-analyzing machine, continues to sow confusion both inside and outside academia. Late last month, the American Historical Association weighed in with a verdict on the plagiarism charges that, like an earlier verdict on similar charges involving Mr. Oates, avoided the word "plagiarism" but managed to convey the opposite of exoneration. At issue is nothing less than the proper definition of plagiarism—a question whose importance accounts for the consternation the case has caused.

Mr. Oates is the University of Massachusetts at Amherst professor who in 1990 ran into a buzz saw consisting of two self-styled "fraudbusters," both researchers at the National Institutes of Health who had come to prominence when their diligent digging set off the celebrated scientific-misconduct case against Nobel laureate scientist David Baltimore. Since that case, the duo, Walter Stewart and Ned Feder, had been casting around for other targets. Mr. Oates’s previous round of unresolved charges attracted their attention, so they ran a text-scanning program on Mr. Oates’s books—not just the biography of Abraham Lincoln, which had caused the earlier trouble but also two other works—and on those of other historians. They found what they said were 175 phrases or clumps of wording that indicated overlap and, with a zeal born perhaps of previous work in the hard sciences rather than the narrative humanities, declared they had found a new, efficient way to address and resolve this frequently troublesome academic problem.

That wasn’t the effect. Mr. Oates denied any plagiarism, saying the accusations all involved common phraseology and the general constraints of history-writing from limited source material. Further, he complained strongly enough about NIH’s role to attract attention to the odd financial arrangement of the two fraudbusters, and they were separated and reassigned to other duties. Many historians agreed with Mr. Oates that the suspicious ward-damps reflected nothing but the scanner’s mechanical shortcomings, and indeed many of the citations appeared trivial, with phrases such as “the only job he had managed to hold for any length of time” or houses “festooned” with Spanish moss. Others read as if someone with a too-acute memory was writing too fast and too carelessly. The sheer number of questionable cases puts strain on any of these formulations.

The American Historical Association ruled last month that there was “no evidence at all that Stephen Oates committed plagiarism as it is conventionally understood” but that his work showed “too great and too continuous dependence, even with attribution” on other works. Some say the panel avoided the word “plagiarism” both times only because Mr. Oates had threatened a defamation suit. The historical association had, in fact, shortened and lightened its own definition midway through the Oates affair, but criticisms of that move tend to founder against the general difficulty of encountering agreement on a definition within the profession. But whatever the definition may be, it should be clear by now that the answer cannot be determined by scientific formulas or machines. Of all the accusations among academics, none can destroy a person’s career like this one, so cavalier revisions of the definition are a perilous ground to enter. But evaluating words by way of numbers brings nothing but trouble.
Wedding Micro-Management

Microsoft wonder boy Bill Gates may believe in access to the information highway, but he sure didn’t want just anyone dropping in on his wedding. Security was so tight at Gates’s New Year’s Day nuptials on a golf course that the Hawaiian government is investigating whether the public’s (in this case, the media’s) rights were violated.

Robert Marks, Hawaii’s attorney general, said Thursday that he was extremely concerned about reports that members of the media were barred from some of Lanai Island’s beaches—all of which are open to the public. “The exclusion of the public from areas of public accommodation on any island is an important one,” Marks said. “We intend to ensure that criminal trespass laws are not used to improperly bar the public from public areas.”

Several media types were kicked off the island when they tried to get near the site of Gates’s wedding to Microsoft employee Melinda French.

Luckily for Lanai beachgoers, Gates and his bride are reportedly honeymooning in Fiji.

Rick James Sentenced

Rick James, the self-proclaimed King of Funk whose star peaked in the early ’80s, was sentenced to five years in prison yesterday in Los Angeles for attacking two women while on a cocaine binge. James, 44, been convicted in September of holding one woman in his hotel suite; she her will and forcing another to have sex with his girlfriend.

But James may spend much less time under lock and key. Under a plea bargain approved by the judge, the singer will undergo a nine-month drug treatment program at a California rehabilitation center and could be released once that’s completed.

“His life did spiral downward into a cocaine oblivion. That is the reason why he deserved the sentence he got today,” said defense lawyer Mark Werksman of James, whose biggest hit was 1981’s “Super Freak.” “The sentence he got today is decent and humane.”

End Notes

A memorial service for former House speaker Tip O’Neill, who died this week, will be held Monday at St. John’s, his longtime church in Cambridge, Mass. On Tuesday he’ll be buried on his beloved Cape Cod. For friends and admirers here who can’t make the trip, there will be a service later in Washington. Best Buddies founder Anthony Kennedy Shriver and wife Aliana have a new daughter, Bambie Joella, who was born Tuesday in Miami... American open star Barbara Hendricks, who gave a New Year’s Eve concert in Sarajevo, wants President Clinton and U.N. Secretary General Boutros Boutros-Ghali to pay a visit to the embattled Bosnian day.

Acting as a goodwill ambassador for the U.N. High Commissioner for Refugees, Kendrick told the media and the public that “one can never be prepared for the reality of the everyday life here. You must see it with your own eyes.”

—Compiled from staff and wire reports

By G.B. Trudeau

DOOMESBURY

SO WHAT DO YOU HEAR, JONIE— IS OUR LITTLE TROOPER PROBLEM BEHIND US?

IT CERTAINLY SEEMS SO, JOSH... UNLESS, OF COURSE, THERE’S INDEPENDENT CORROBORATION ABOUT HIS ELECTION YEAR ACTIVITIES... IF IT TURNS OUT THE BOSS DAD CONTINUES SEEING HIS LITTLE FRIENDS POST-ELECTION, THEN IT MEANS HE NEVERSEPARATED THE ENTIRE CAMPAIGN, AND REJUVENATED THE TRUST OF NOT ONLY HIS WIFE BUT MILLIONS OF SUPPORTERS...

PRE-WEDDING RENDEZVOUS JOAN? OH, SORRY, DID YOU WANT THE HOITY-TOITY CHAIRS?

By Mary Abita Welch
The controversy over “Whitewater” yesterday blew into a firestorm.

Republicans continued to press for the appointment of a special counsel to conduct an independent investigation into President Clinton's involvement in an Arkansas land-development deal and his partnership with the owner of a failed savings and loan. Meanwhile, the White House accused Republicans of creating a "carnival of misdirection" and insinuating that the president is wronging the death of his mother.

At issue is whether the Justice Department can investigate the tangled business dealings of the president and first lady, Hillary Rodham Clinton, without fear or favor.

There were these developments in a swirl of acrimonious charge and swift countercharge:

- White House Counselor David Gergen accused Republicans of a partisan attempt to prevent Mr. Clinton from doing the "right thing" he considered to Washington to do.
- Senate Minority Leader Bob Dole of Kansas decried a "negotiated subpoena" of investment documents as aimed at shielding a public view of dealings of the Clinton and their former partner James B. McDougal. He demanded anew that Attorney General Janet Reno appoint a special counsel.
- House Minority Leader Robert Michel of Illinois asked the Justice Department to waive the statute of limitations — due to expire in March — with regard to an/ investigation of a fraud involving Whitewater Development Corp., which Mr. McDougal's failed Madison Guaranty Savings and Loan Association "so the investigation can be fully and properly conducted."

The Justice Department denied a report in the New York Times that Miami, Mrs. Reno had decided to name an independent counsel if Congress passes an independent counsel bill. However, Miss Reno has hinted that she might consider making such an appointment if the new law is enacted.

- William P. Barr, who served as attorney general in the Bush administration, charged that Miss Reno had unwisely assigned "junior lawyers, lower-level lawyers" to investigate the accusations.
- Miss Reno strongly defended her decision not to name a special counsel.

As a Justice Department investigation of Whitewater real estate development deals in partnership with Mr. McDougal moves toward the Clintons' involvement with Whitewater and Madison, the subpoena, which guarantees that the records will remain sealed, was requested by the White House on Dec. 23 but was not made public until Wednesday.

The records include those taken from the office of Vincent W. Foster Jr., the White House deputy counsel who killed himself July 20. Mr. Foster held the documents in his additional role as the personal attorney for the president and Mrs. Clinton.

The subpoena, issued without public notice on Christmas Eve, was served on the Clintons' new personal attorney, David Kendall, in Washington.

By Jerry Seper

For congressional action to name a special prosecutor to investigate the accusations. "It is in the president's interest for you to stop hiding behind the fact that the independent counsel act has not been reauthorized," he said.

Mr. Dole suggested several lawyers to be considered as special counsels, including Griffin B. Bell and Benjamin R. Civiletti, who served successively as attorney general and director of the Cartier administration, and Robert S. Bennett, a Washington lawyer who served as special counsel to the Senate Ethics Committee in its investigations of the Keating Five. Also on the list are former U.S. attorneys Michael Baylson, Anton Valukas and Dan Webb, and A.B. Culvahouse, counsel to former President Ford.

Miss Reno rejected such demands in a letter yesterday to Mr. Dole and Iowa Rep. Jim Leach, the ranking Republican member of the House Banking Committee, who is investigating the Whitewater-Madison affair. She said that such an appointment would not be "truly independent" and that the Justice Department forgoing a request under way would be "fair, thorough and impartial."

The strongest and most emotio nal White House reaction to the controversy, Mr. Gergen yesterday chastised Republicans for insinuating to Mr. Clinton's mourning over the death of his mother, Virginia Kelley, of her home in Hot Springs, Ark., early Thursday morning.

"As the president goes home to be with his mother, to have the political opposition on the warpath, haranguing away, raises all sorts of questions about what has happened in this town," Mr. Gergen said in an interview on the Court TV cable channel. Mr. Gergen said, "I think you have to have the very first figure such as the Clintons can try to come to this town to try to do something good for the country, and they get hammered away even if they're trying to do the right thing."

But he acknowledged that there were "questions that are difficult to answer" about the Clintons' investment. There are many facts here because the documents are incomplete, and I don't think anybody knows fully what happened."
Democrats’ S&L interest fades with Clinton involved

By Donald Lambro

The savings and loan scandal the Democrats tried to nail to the door of the Reagan and Bush administrations has arisen again, this time in the secret files of the Clinton White House.

But when the Democratic lawmakers who demanded a full-scale congressional inquiry into the S&L scandal during the Reagan administration now are expressing little interest in a failed Arkansas thrift that funded a murky real estate deal involving Gov. Bill Clinton and his wife, Hillary.

In the 1980s, Democrats demanded a full investigation by the appropriate agencies and Congress into charges of internal wrongdoing in the government’s regulation of S&Ls.

Today, they are resisting calls for congressional probes and opposing GOP calls for the Justice Department to appoint an independent counsel to investigate the Whitewater land venture that involved the Clintons and several of their friends and political allies.

“The present investigative efforts by the Justice Department in the Madison Guaranty case should run their course without congressional interference,” said Senate Banking Committee chairman, Michigan Sen. Donald W. Riegle Jr., chairman of the Senate Banking Committee, which held hearings on S&L failures.

Mr. Riegle is one of the “Keating Five” senators accused of trying to impede the work of banking regulators in the case of now-jailed financier Charles Keating.

Republicans are crying cover-up, charging that Democrats are applying a double standard in seeking to explore every facet of the S&L scandal in the 80s but now allowing the Clinton administration to investigate itself in the Whitewater scandal.

“When it comes to stonewalling, the Democrats can take a patent out on it,” said Rep. Dick Armey of Texas, chairman of the House Republican Conference.

“It’s pretty hard to run away from the connection between the governor and that thrift,” said Mr. Armey.

The Clintons were partners in Whitewater Development Corp. with James B. and Susan McDougal while Mr. Clinton was governor of Arkansas. Mr. McDougal owned Madison Guaranty, which had financial transactions connected to Whitewater and Mr. Clinton’s election campaign.

Mr. Armey and other House and Senate GOP leaders have called on Attorney General Janet Reno to appoint an independent counsel to look into the case.

Meanwhile, New York Sen. Alfonse M. D’Amato said: “The American people are starting to wonder why there is no independent investigation going on by the relevant committees in both houses of Congress controlled by the Democrats.

Mr. D’Amato, ranking Republican on the Senate Banking Committee, said Democratic resistance to investigating the Clintons’ land deal is getting “curiouser and curiouser.”

Throughout the S&L scandal of the 1980s, Democrats charged that the rash of failed thrifts was the result of bank deregulation under the Republicans and crooked bankers.

The scandals spawned an outbreak of finger-pointing in Congress, with Democrats demanding governmentwide inquiries and holding months of hearings to see who was to blame for S&L failures that resulted in government bailouts costing billions of dollars.

Democratic Rep. Henry B. Gonzalez of Texas, chairman of the House Banking Committee, “was virtually on the floor every other day, calling for more documents to be released and demanding the impeachment of a Republican president over the S&L scandals,” a House GOP official recalled.

But Mr. Gonzalez is rejecting pleas by the ranking Republican member of his committee, Rep. Jim Leach of Iowa, to examine the Whitewater files, issue subpoenas and conduct a full-fledged committee probe.

Last year, Mr. Leach pressed the committee to investigate Madison Guaranty. Numerous questions have been raised since the 1992 campaign about the Clintons’ role in the troubled bank and whether funds were diverted to a Clinton gubernatorial campaign and to the Whitewater real estate deal.

Mr. Gonzalez wrote to Mr. Leach on Nov. 15 to “reiterate my commitment to investigating the legitimate issues surrounding the failure of Madison Guaranty.” He urged that the committee’s minority and majority staffs work together to ferret out the facts.

Yet as the story began to widen late last year and new disclosures suggested the Clintons and their friends were more involved in the bank’s dealings than was previously known, Mr. Gonzalez did an about-face.

When Mr. Leach’s staff drafted a number of letters last month demanding letters from various regulatory agencies involved in Madison’s operation, the chairman refused to sign them.

Madison’s “failure follows a familiar pattern and there is no information suggesting it was a unique case or one that presents legislative issues not previously addressed or any issues now pending before the committee,” Mr. Gonzalez wrote to Mr. Leach on Dec. 9.

A detailed, four-page rebuttal from Mr. Leach argued that numerous abuses of power may have occurred in the Madison affair and that it was riddled with conflicts of interest by powerful people close to the Clintons.

“Congress has an obligation to the American public to ensure that no American, whatever his or her position, is above public accountability and the rule of the law,” Mr. Leach wrote back.

In a curt response on Dec. 9, Mr. Gonzalez charged that Mr. Leach and his party were interested only in conducting “a purely political fishing expedition.”
Outcry over new bloodshed in Bosnia thrusts issue back on NATO agenda

By Warren Strobel

The renewed bloodshed in Bosnia has ensured that the issue of the former Yugoslavia will get much more attention at next week's NATO summit than the Clinton administration had hoped, officials said yesterday.

While they attempted to play down differences between them, U.S. and French diplomats said that Paris has urged President Clinton and other NATO leaders to take strong action to condemn the fighting and recent attacks on U.N. peacekeepers.

But the Clinton administration, which has sought to put the Bosnia crisis behind it, wants to keep the Brussels summit focused on Mr. Clinton's proposal for renewing NATO itself. The proposal, called "Partnership for Peace," would have NATO embrace former Warsaw Pact adversaries without giving them full membership in the alliance.

Secretary of State Warren Christopher, leaving little doubt that Washington plans no new dramatic steps, said that while Bosnia will be discussed, "we're talking about NATO's future now."

"I want to emphasize that the summit was called for by the president . . . to discuss the future of NATO, to discuss how NATO would reach out to the East, to the newly emerging democracies," he said.

However, an administration official said the renewed shelling of Sarajevo by Bosnian Serbs and fighting elsewhere have made the crisis impossible to ignore.

"A couple of weeks ago," the official said, it might have been possible to say, "We may be able to say Bosnia is not relevant," said the official, speaking on the condition of anonymity.

"But the Clinton administration has steadfastly resisted the kind of military involvement in Bosnia that Mr. Juppe is now urging.

"We may be able to say we're talking about Partnership for Peace. But while it's nice to have the Europeans talking about Partnership for Peace, it appears we're talking about how Soviet military assistance to the Serbs in Bosnia will be renewed and how the power vacuum in the capital of Sarajevo will be maintained," he said.

The official predicted the summit would "probably come forward with a coordinated position as we have in the past, on that subject."

The diplomats said that France has urged, among several steps, that the alliance declare it is ready to implement the U.N. resolution to provide protective airpower if U.N. troops come under attack.

While the summit is expected to reaffirm NATO's August pledge to undertake air strikes if requested, the Clinton administration has shied away from fulfilling the pledge.

Mr. Christopher said that, as of yesterday, U.N. authorities had not made a request for help.

"It sounds like Boutros-Ghali's going to be the fall guy in Bosnia. It kind of throws it all on his shoulders," a State Department official said.

France, U.S. officials said, has asked that an airport at Tuzla, in north-central Bosnia, be opened for aid deliveries and that help be given to peacekeepers in the besieged town of Srebrenica.

But Paris, while urging that something be done, has not offered specific plans, officials said.

Washington has indicated it is willing to help operate the Tuzla airport, in Serbian-held territory, but not to reopen it by force.

Finally, France wants the summit to endorse a peace plan agreed to by the 12-nation European Union last month and to pledge to provide troops for implementation if war again comes to Bosnia.

But the U.S. official repeated Washington's lukewarm feelings about the initiative. Europeans envision a fairly rapid lifting of economic sanctions on Serbia if it abides by the peace plan, while the United States favors a slower repeal, he said.

The official predicted the summit would make a favorable reference to the European plan without explicitly endorsing it.
Gay-ban appeal ordered

Court overrules administration

By Rowan Scarborough

A federal appeals court yesterday overruled the Clinton administration and decided to rehear arguments on the constitutionality of the 50-year-old ban on homosexuals in the military.

The order from the U.S. Court of Appeals for the District of Columbia represents a major potential victory for ban supporters.

They had criticized the Justice Department for deciding not to appeal three liberal judges’ ruling that the ban was unconstitutional. The judges in November ordered the Navy to issue an officer’s commission to Joseph Steffan, who was discharged from the Naval Academy in 1987 after admitting his homosexuality.

The Justice Department announced last week it would only appeal the part of the ruling that ordered a commission for Mr. Steffan.

The department said a full appeal was unnecessary because the ban in the Steffan case has been replaced by a new law and new regulations set to take effect Feb. 5.

That decision drew criticism from those who wrote the law. They said the law’s future legal defense would be undermined because the new ban contains the same tenets the three judges struck down.

Sen. Sam Nunn, Georgia Democrat and chairman of the Senate Armed Services Committee, wrote two letters to the administration last month disagreeing with any legal strategy that allowed the Steffan opinion to stand.

In a Dec. 14 letter to Attorney General Janet Reno, Mr. Nunn called the ruling “an unwarranted and unjustified departure from the traditional deference of the courts to the executive branch in military personnel matters.”

On Thursday, Republican Sens. Strom Thurmond of South Carolina and Daniel R. Coats of Indiana released a letter to President Clinton urging the White House to reverse course in the Steffan matter. They threatened to reopen the long debate on homosexuals in the military by introducing amendments and holding public hearings.

“Senator Coats is pleased that there will be a full review of the case,” a spokesman said last night.

The Court of Appeals, in effect, has made the decision for the Justice Department.

One reason pro-ban activists and lawmakers who pushed for a full hearing was the court’s conservative majority.

The three judges who issued the Steffan opinion — Abner Mikva, Patricia Wald and Harry Edwards — are the court’s most liberal members. All were appointed by President Carter.

The remaining nine judges were appointed by Presidents Reagan and Bush.

The vote to hear the entire case may represent some one-upmanship on a court noted for an occasional flurry of ideological infighting.

Conservative jurists, seeing a Democratic White House failing to challenge a ruling by three liberal judges, may have decided to force the administration’s hand.

The court’s one-page order said an unidentified judge had suggested that the judges hear all aspects of the Steffan case — the merits as well as the remedy.

“The court has been polled and a majority of the judges in regular active service have voted in favor of the entire case being reheard by the court,” the order said.

Mr. Steffan, now a 29-year-old law student, was discharged after admitting his homosexuality to two persons. He did not acknowledge homosexual conduct.

Like the old ban, the new law and new Pentagon policy allow the military to discharge people who declare they are homosexual. Such a statement is considered evidence of homosexual conduct, according to the policy.

An appeal before the full court will apparently force the Justice Department to defend the old ban and let pro-ban groups file legal briefs.

A department spokesman declined to comment last night.

The court’s action may not defuse efforts to reignite the congressional debate.

Some lawmakers are upset about Pentagon regulations, announced Dec. 22 to enforce the new law. They say the guidelines contain loopholes and place too many restrictions on field commanders.

In a related development, the Pentagon yesterday announced a procedure for readmitting people discharged under an interim policy that took effect a year ago and has been replaced by the new law.
Clinton, friends mourn mother

By Ronald A. Taylor
THE WASHINGTON TIMES

HOT SPRINGS, Ark. - A clearly saddened President Clinton turned nostalgic yesterday as he reminisced with close friends the day before the funeral for his mother, Virginia Kelley.

After a 10-minute visit to the Gross Funeral Home, Mr. Clinton consoled his half-brother, Roger, who emerged from a public viewing of their mother's body in tears.

Dry-eyed but somber, the president patted his younger brother on the shoulder, then hugged him. The two left the plantation-cum-funeral home in the president's limousine on a frigid, snow-crusted morning.

White House spokesman Jeff Eller said Mr. Clinton has not been seen openly grieving since learning of Mrs. Kelley's pre-dawn death Thursday after a lengthy fight against breast cancer.

"He seems to be bearing up pretty well," Mr. Eller said.

In this time of mourning, presidential aides and friends have kept a discreet distance from the Clinton and Kelley families.

White House staffers have set up a command post in a garage away from the Kelleys' three-bedroom house, where they drink coffee and try to stay warm in the bone-chilling temperatures in the Lake Hamilton community.

Inside the Kelley home, the family has received old friends and scores of food platters. They have engaged in remembering Mrs. Kelley, whom the president has singled out as one of the most important role models in his life.

"They're in there poring through family photo albums," Mr. Eller said.

Mr. Clinton has said nothing publicly since his arrival here Thursday. Mr. Eller said the president is still undecided about whether he will speak at his mother's funeral today at the Hot Springs Civic Auditorium.

Mr. Clinton yesterday awaited the arrival of first lady Hillary Rodham Clinton and daughter Chelsea from Washington with a government plane full of Washington friends.

At mioday, Mr. Clinton and three childhood friends hopped into the presidential limousine for an impromptu tour of old teen-age haunts.

The first stop was the old Hot Springs High School.

Accompanied by close friends David Leopolous, Jim French and Maria Aspell - all Hot Springs residents who have maintained close ties with Mr. Clinton from high school - the president strolled the halls of the school, which is now used as a storage facility for the city.

The area around the old high school, which has been replaced with a larger building in another part of town, has deteriorated in the years since Mr. Clinton was a dominant member of the class of '64. The high school stands at the edge of a neighborhood where drug dealing and other street crime are commonplace.

After the visit to the old school, the group piled into the limousine and cruised to the neighborhood where Mr. Clinton lived as a teenager, circling the block where the Clinton family lived on Park Avenue in a white-frame, two-story house, now trimmed in bright green.

They concluded the one-hour trip down memory lane with a trip to West Mountain in Hot Springs National Park.

More than 1,000 mourners are expected at today's funeral for Mrs. Kelley. White House aides said the funeral will be at the auditorium instead of at a church because of the number of people expected.

Three Methodist ministers with close ties to the Kelley and Clinton families will preside at the services.

After the funeral and a 90-mile funeral procession to Hope, Ark., Mrs. Kelley will be buried in the same cemetery where her father and other members of her family are buried. The Rosehill Cemetery is where Mr. Clinton's father, William Jefferson Blythe, is buried.
Clinton crime bill urged to shift focus

By Matt Neufeld
THE WASHINGTON TIMES

The Clinton administration’s national crime bill should focus as much on education and social problems as it does on criminal justice issues like tougher jail sentences, police officers and prisons, a diverse group of leaders said yesterday.

“The solution is adequate programs to meet the needs of human beings,” said the Rev. Albert Galmon.

Mr. Galmon, of the Metropolitan Baptist Church in Northwest, was one of several speakers yesterday at an afternoon panel discussion on the second of a three-day “leadership forum on violence.”

“When addressing crime, the need for ‘community policing,’ but it also needs to address more ‘community involvement,’” said Metropolitan Police Officer Ron Hamp-...
Red hot officials pull condom ad with sex-offender singer

By Joyce Price

The Department of Health and Human Services yesterday ordered the immediate withdrawal of a new radio condom ad featuring funk-rock singer Anthony Kiedis after learning that he is a convicted sex offender.

Donna E. Shalala, secretary of health and human services, said she was "outraged" upon learning the background of Mr. Kiedis, leader of the Red Hot Chili Peppers, a four-man group known to disrobe on stage.

"We do not feel he is an appropriate spokesperson," said Dr. David Satcher, director of the Centers for Disease Control and Prevention, which launched the condom ad campaign Tuesday.

In Los Angeles, Lindy Goetz, the band's manager, said Mr. Kiedis did the ad without pay as a public service. "It seems like a good thing he did," the manager said.

Mr. Kiedis was convicted in Fairfax County General District Court in April 1990 of indecent exposure and sexual battery, both misdemeanors. He paid fines of $1,000 for each offence.

Shalala spokesman Victor Zonana said health officials were unaware of Mr. Kiedis' record until yesterday, when they were informed by The Washington Times.

The Times was seeking administration comment on a statement issued by the Rev. Louis Sheldon in which he disclosed Mr. Kiedis' record and demanded that his condom ad be dropped.

"It is outrageous and offensive that the U.S. government would use the public's tax dollars to promote Anthony Kiedis as a role model for young people about sex," said Mr. Sheldon, chairman of Traditional Values Coalition, a family advocacy group representing 31,000 churches nationally.

Mr. Kiedis' conviction on sexual battery and indecent exposure charges resulted from an incident at a George Mason University in April 1989.

Joan A. Crown, then a junior at the school, said Mr. Kiedis grabbed her, said she is heavily favored to win the election again in November, and she has filed to run.

Though she has token opposition, Mrs. Hutchison was indicted for being "too vague." Defense attorneys had argued that the indictments were so vague that they could not begin to defend Mrs. Hutchison.

"I hope it's very soon because I want to go on and represent the people of Texas in the Senate. The seat is up for election again in November, and she has filed to run.

"The Texas primary is in March. Though she has token opposition, she is heavily favored to win the GOP nomination."

Judge Onion ruled that the new, more specific indictments were acceptable. They replaced three that were dismissed by the judge 10 days before for being "too vague." Defense attorneys had argued that the indictments were so vague that they could not begin to defend Mrs. Hutchison.

Lead Hutchison attorney Dick DeGuerin of Houston yesterday tried to persuade the judge to throw out the redone indictments. "Enough is enough," the lawyer said. "What do we have the state stop changing its indictments? We've just got to stop this fiddling around."

Mrs. Hutchison was indicted Sept. 27, but because the district attorney had allowed a grand juror under felony indictment to serve, that set of charges was dismissed by state District Judge Mike Lynch on Oct. 26.

New indictments were handed up Dec. 8, but most of those were dismissed by Judge Onion last week. The trial, which now probably will extend into February, will likely force Mrs. Hutchison to miss some of her Washington duties. She has demanded several times that it start sooner.
Longer jail time called sure way to reduce crime

By Joyce Price
THE WASHINGTON TIMES

Jailing violent criminals for at least 85 percent of their sentences would be the "quickest, surest route" to reducing crime, according to a new report.

"The time has come for states to enact truth-in-sentencing laws, which would require violent criminals to serve the bulk of their sentences," James W. Wootton, president of the Safe Streets Alliance, wrote in the report prepared for the Heritage Foundation.

"There are few viable alternatives that protect citizens from the immediate threat of violent crime," he said. "Parole ... is a failed experiment. The American people deserve better."

Truth-in-sentencing legislation has the strong endorsement of the 110,000-member National Association of Chiefs of Police and the 320,000-member International Association of Correctional Officers, according to Dennis Martin, executive director of the police chiefs group.

Mr. Martin, a former police chief in Maple Grove, Mich., said the groups have sent letters and telegrams to President Clinton, the director of the Federal Bureau of Prisons and members of Congress opposing their support for legislation that would force violent criminals to serve most of their sentences.

"We feel longer sentences would have a significant impact" on crime reduction, Mr. Martin said. "As things are now, crime pays, and those who commit crimes don't have to pay the price. We've been trying to get this message across to President Clinton, but it's been falling on deaf ears."

In his report, Mr. Wootton said 1988 prison release data from 36 states and the District of Columbia show that violent offenders received an average sentence of seven years and 11 months. But they "actually served an average of only two years and 11 months — or only 37 percent of their imposed sentence," he said.

Mr. Wootton said the statistics show that typically 51 percent of violent criminals were discharged from prison in two years or less, and 76 percent were back on the streets in four years or less.

Citing 1988 Bureau of Justice Statistics, he said:

- The median sentence for murder was 15 years, but the median sentence served was only 9 years.
- The average sentence for rape was eight years; convicted rapists normally served only three years.
- Robbers typically served only two years and three months of average six-year prison terms.

"When these prisoners are released early, a high percentage commit more violent crimes," Mr. Wootton wrote.

He cited a study of 108,850 prisoners released in 1983 from prisons in 11 states. The study found that within three years, 60 percent of violent offenders were rearrested for a felony or serious misdemeanor, 42 percent were re-convicted, and 37 percent were re-incarcerated. Of the violent offenders, 35 percent were rearrested for another violent crime, he said.

Among nonviolent prisoners released, Mr. Wootton said, nearly a fifth were rearrested within three years for a violent crime.

He estimates that longer incarceration would prevent "over two-thirds" of the approximately 6 million violent crimes that occur each year.

"Some argue that truth-in-sentencing simply costs too much," Mr. Wootton said. But he said it costs approximately $23,000 a year to keep a criminal in jail, while estimates of keeping "that criminal on the street" are $452,000 per year or more.

Mr. Martin did not quibble with that figure. "When police apprehend a burglar, that burglar, on average, has already committed 40 to 100 other burglaries, but he's only tried on one crime," he said.

"While the burglar may be sentenced to five to 10 years, in reality, he spends only 90 days in prison. So he's right back out on the street. This is costing homeowners and insurance companies billions of dollars."

Mr. Wootton said the federal government "can encourage" states to adopt truth-in-sentencing laws.

He noted that the Truth in Sentencing Act of 1993, sponsored by Reps. Jim Chapman, Texas Democrat, and Don Young, Alaska Republican, would provide assistance to states that passed such legislation, amounting to $10.5 billion over five years, to help them implement it.
Appoint a special counsel

A failure to come clean could undermine Clinton's presidency.

The Clinton administration has taken pride in Energy Secretary Hazel O'Leary's candor regarding past radiation testing on Americans. O'Leary's approach is this: Let the truth be told.

If only the administration could be as forthcoming on the tangled web known as Whitewater.

The president and Hillary Rodham Clinton say that questions being raised about their financial dealings with the owner of a failed Arkansas savings and loan are only sour grapes left over from the 1992 campaign. They say they did nothing wrong.

But if that is the case, why hasn't the administration come clean with all of the facts, all of the records? If nothing improper has been done, why hide?

Instead, Clinton for months concealed the fact that records related to Whitewater were kept in the office of Vincent Foster, the White House counsel who killed himself last summer. When Clinton admitted the records were in Foster's office, he waited for days before turning them over to the Justice Department. And now, he won't reveal them to the public.

Iowa Congressman Jim Leach has pressed Attorney General Janet Reno to name a special counsel, independent of the Justice Department, to look into whether the Clintons' partner in the Whitewater Development Corp., James McDougal, funneled to Whitewater money from his savings and loan. The S & L later failed, costing taxpayers nearly $500 million in bail-out costs. Questions also have been raised as to whether Clinton, then governor of Arkansas, kept state regulators off the S & L's back, allowing it to stay in operation longer than it should have.

If Clinton is a student of history, he'd realize that dancing and weaving and failing to come clean undermine his presidency and eventually could bring it down. After all, it wasn't the Watergate burglary that did in Richard Nixon; it was the lying that followed.

That's why the president's best option is to do two things: Open his records to the public and instruct the attorney general to appoint somebody outside of the government to investigate the whole affair.
Nuclear risks

Compromise could set bad precedent

The Clinton administration hopes the deal it struck this week with North Korea to allow limited inspections of its disputed nuclear sites will lead, down the road, to regular international monitoring.

If the agreement ultimately produces that result, and North Korea comes into full compliance with its obligations under the Nuclear Nonproliferation Treaty, it will mark a significant diplomatic victory for President Clinton. But the concessions the administration has made to Pyongyang also carry significant risks.

The first is that, if North Korea refuses to allow additional inspections, the compromise accepted by the Clinton administration could set a very bad precedent that would undermine the nonproliferation treaty.

Under terms of the accord, which North Korea signed in 1985, nations must allow international monitors access to all suspected nuclear facilities. But the deal announced this week stipulates that North Korea will permit inspection of only seven declared nuclear installations.

Two other critical sites, which the International Atomic Energy Agency suspects are part of Pyongyang's nuclear weapons program, will remain off limits to inspectors.

If North Korea succeeds in permanently restricting international monitoring of its nuclear activities, it could prompt other aspiring nuclear powers to insist on limits as well. Beyond that, insufficient monitoring of North Korea's clandestine atomic program could allow it to develop a nuclear arsenal. To state it mildly, that would have grave implications for the security of East Asia — not to mention the United States.

The Clinton administration's decision to yield to Pyongyang's longstanding demand to cancel Team Spirit — the annual military exercises between U.S. and South Korean troops to practice repulsing an attack from the north — entails another risk.

That is that the North Korean regime will misinterpret the American concession as a sign of weakening U.S. resolve to defend its South Korean ally. Pyongyang's aging Stalinist leader, Kim Il-Sung, went to war four decades ago because he believed, mistakenly, that the United States would not come to South Korea's aid.

The deal reached by the Clinton administration is premised on the hope that continued negotiations will produce full nuclear inspections of North Korean installations in the future. At the very least, the agreement should be seen as only a first step, because the goal of preventing North Korea from becoming a nuclear power is far from accomplished.

Don't give up

San Diego should get NAFTA agencies

San Diego is in danger of letting the new government institutions created by the North American Free Trade Agreement slip through its fingers.

The passage of NAFTA led to creation of several binational agencies, including the Border Environmental Cooperation Commission, the Center for the Study of Western Hemispheric Trade, the North American Development Bank and a commission to deal with labor issues.

So far, the trade center already has gone to Texas. San Diego deserves to get the environmental commission and the NADBank, both of which are expected to go to the same location because the bank will fund environmental projects.

But some public officials are dubious about whether we will get any NAFTA agencies, even though the San Diego-Tijuana region is the most populous along the 2,000-mile border and has services well-suited for the environmental and financial agencies.

Unfortunately, three of San Diego's five House members opposed NAFTA, including — and most importantly — its two Democrats. That has not been forgotten in Washington. The Texas congressional delegation, on the other hand, overwhelmingly supported NAFTA.

While San Diego's representatives in Congress rarely work together for the good of the county, they must make a united push to get the NAFTA environmental commission and NADBank located here. If San Diego gets stiffed, we'll know whom to blame.
Jackson wades attack on crime among blacks

Rights advocate begins crusade on delicate topic

By Susan Feeney

WASHINGTON — Jesse Jackson has jumped back into the national spotlight to focus new attention on the violence — particularly black-on-black violence — that he says is "setting up the soul of America."

"When blacks kill whites, revenge is sought, capital punishment invoked, new laws passed, more jails built, old fears aroused," Mr. Jackson said Friday at his Rainbow Coalition's three-day conference on black-on-black crime and youth violence.

"But when blacks kill blacks, it elicits barely a sign or a blip on the radar screen." Mr. Jackson said. "When blacks kill blacks, it elicits barely a sign or a blip on the radar screen."

It's a new crusade for the civil rights leader and two-time Democratic presidential candidate. And please see JACKSON on Page 1B.

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It's a delicate one.

Many black leaders applaud the attention focused on black-and-white violence, even as they see the root causes of crime as similar across the races.

"The fact is our people are being killed disproportionately," said New Orleans Mayor Sidney Barthelemy. "This is very important."

Nearly half of all murder victims are black, though blacks make up only 12 percent of the nation's population. More blacks kill each other each year than "were killed in the entire history of lynchings," Mr. Jackson said.

But African-American critics suggest that the very focus on black-on-black violence reinforces stereotypes, or could send the wrong message regarding an absence of all crimes.

Others say the emphasis should remain on securing basic civil rights, which they see as a necessary foundation to alleviating crime.

Also, Mr. Jackson alienated some civil rights advocates when he recently told a Chicago audience he was "relieved" to be followed on the street by a white person rather than a black.

"When you begin to speak of problems such as crime, teen-age pregnancy and the like in racial terms, then you reinforce the stereotypes we've worked to erase," said Michael Meyers, executive director of the New York Civil Rights Coalition, a nonpartisan, nonprofit advocacy group.

"I don't think crime has a color. Crime isn't black. Crime isn't white. Crime isn't yellow. Crime isn't brown. And there certainly isn't a 'black solution to crime," Mr. Meyers said.

Further, a new study by the Independent Joint Center for Political and Economic Studies found that the proportion of violent crime arrests of blacks has not increased in the past decade.

"I've always had a hesitancy to discuss it (black-on-black violence) for another reason," said Rep. Craig Washington, D-Houston, a leader on crime issues in the Congressional Black Caucus.

"You have to always be careful when you talk about black-on-black crime that it's no different from other kinds of crime... that we aren't in any way excusing other types of crime."

But the congressman supports Mr. Jackson's efforts.

"We just have to stop the madness in this country," Mr. Washington said.

C. Delores Tucker, chairwoman of the National Political Congress of Black Women, said she understands the policies it needs to our government.

Mr. Jackson, in his address Friday, pressed hope that it would be the congressman supports Mr. Jackson's efforts.

Cease fire is no threat to the status quo if the oppressed descend into self-destruction, the oppressor will permit it and even encourage it and pay for it. They will give us free passes.

"So we must change our own ways first," he said. "Significant change is always born in hope and in the will of the oppressed."

Charles Cook, who edits a national political newsletter, praised Mr. Jackson for stepping to the fore on an important and difficult issue.

"It's something that I think very few white leaders are in a position to really do or say something about," Mr. Cook said. "He has the unique moral authority to do it."

President Clinton drew some criticism Friday from Mr. Jackson, who said the president isn't doing enough to help African-Americans, especially on urban investment and education.

But Mr. Clinton won plaudits from many black leaders for frequently using his "bully pulpit" to address crime in the black community. Some singled out Mr. Clinton's speech last year in Memphis, Tenn., where he suggested that blacks must play a role in tackling the problems "ravaging the community" or "we will not be able to repair this country."

Linda Williams, research director for the Congressional Black Caucus Foundation, said in an interview Friday that "we can't afford not to focus on black-on-black crime."

But "we have to focus on it with a more holistic approach than it's had so far," she said. "I don't think you'll ever find a solution unless you deal with the underlying problems" such as unemployment, poverty, drugs, education and the breakup of families.

Conference participants expressed hope that it would be the beginning of a broader dialogue among African-Americans. Guest ranging from film producer Spike Lee and actor Bill Cosby to Attorney General Janet Reno were to take up issues from welfare reform and criminal sentencing to violence in the news media.

Mr. Jackson urged participants to hold similar sessions in their hometowns. He planned to offer a written proposal for action on Saturday.

The Congressional Black Caucus plans a daylong hearing Thursday on the crime bill still pending in Congress.
**EDITORIALS**

**NATO**

Gradual enlargement may be best

President Clinton's trip to Europe will be one of the most important in his presidency. He will carry with him a blueprint for redefining the North Atlantic Treaty Organization.

He will present his plan at the NATO summit in Brussels, Belgium, today. It is far from clear whether the full details of the blueprint, "Partnerships for Peace," will satisfy the intense desire for security guarantees of NATO membership by at least three of the former Soviet Bloc states. And it is doubtful the compromise will ease Russia's paranoia of being surrounded by potential "Western" enemies. But the president is wisely making the rounds in Russia and Central European capitals after the summit to assure both sides.

'The Czech Republic, Hungary and Poland want to join NATO now. Having lost these buffer states, Russia doesn't like that idea. The former Soviet Bloc states' desire for quick NATO membership and Russia's distaste for it intensified as a result of the strong showing by ultranationalists in Russia's December parliamentary elections.

Faced with those competing interests, Mr. Clinton's Partnerships for Peace is a sound compromise. It provides limited but immediate political, economic and military cooperation between NATO members and the Central European nations and Russia. Full NATO membership is to come later. When that is is not likely to be spelled anytime soon.

But if this compromise is to bear fruit, the "when" and "how" will have to be spelled out in the very near future. In addition, this interim period of provisional "membership" must be meaningful, not window dressing for Moscow's sake. Vice President Al Gore intended to send that signal on Thursday in a foreign policy speech setting out Mr. Clinton's goals for the trip. He said once and then repeated: "The security of the states that lie between Western Europe and Russia affects the security of America." Uniting both sides.

The Czech Republic, Hungary and Poland want to join NATO now. Having lost these buffer states, Russia doesn't like that idea. The former Soviet Bloc states' desire for quick NATO membership and Russia's distaste for it intensified as a result of the strong showing by ultranationalists in Russia's December parliamentary elections.

Aviation Reforms

Reducing government will help

When a presidential commission studied last year why U.S. airlines lose so much money, it found that government was much of the problem.

Federal red tape inhibits acquisition of superior air traffic control technology, increasing delays that cost airlines and consumers billions of dollars annually.

Congress mishandles airline user fees, treating as general revenue money that is supposed to be used to improve airports and equipment.

U.S. law limits foreign capital to cash-starved U.S. airlines, and it allows bankrupt airlines too much time to reorganize, to the detriment of healthy ones.

To its credit, the Clinton administration has begun some steps to remove government as an obstacle to the airlines' profitability. Following the commission's recommendations, it proposed Thursday to convert the Federal Aviation Administration to a government corporation. The change would free the agency from cumbersome procurement rules and the fickle federal budget process. It promised to enforce prohibitions against the diversion of user fees. It proposed to allow foreign airlines to own up to 49 percent of the voting stock in U.S. airlines as long as reciprocal opportunities are offered to U.S. airlines. And it proposed to reform bankruptcy laws. There is not much the administration could do to relieve another major drain on airline profitability: the dour world economy. However, its power to alter the regulatory environment could significantly benefit a crucial industry.

Legitimate concerns have been raised about whether the proposed new semi-private regulatory agency can ensure airline safety. Congress and the administration should see that safety concerns are addressed before any changes are made.

Congress will want to consider thoroughly the administration's proposals before voting on them, but the proposals appear good on their face, and they are supported by the industry. Congress should give them a positive and speedy airing.

The Dallas Morning News

Monday, January 10, 1994
BANK REGULATIONS
Clinton regulatory scheme not best option

As one Dallas banker puts it, the Treasury Department's recent proposal to create a single bank regulatory agency leaves him with mixed feelings. On the one hand, the current bank regulatory scheme needs more rationality. On the other hand, putting so much power in the hands of one regulatory authority is scary.

That comment aptly summarizes the sentiment many financial experts have about the administration plan to consolidate the four agencies that now regulate deposit institutions insured by the Federal Deposit Insurance Corporation into one super-regulatory agency. The present structure is out of whack, but is the proposed cure going to be worse than the illness itself?

The answer is yes, a single bank regulatory authority could pose greater problems than the current need to redirect bank examinations. The most serious concern should be placing so much power in a single regulatory operation.

Consider the new power the president would yield over the banking community by naming the head of a five-member independent banking commission. The appointment would become a real plum, and could add to the mixture of money and politics in presidential primaries. You raise us enough money, a campaign manager could imply to Mr. Financial Sort, and, who knows, maybe you'll be considered head of the banking commission.

Also, who's to say a single regulatory apparatus will work better? Recall that the savings and loan industry was regulated by one authority, and those days could hardly be held up as a model of success.

So, too, is there a question of whether the administration is arring by taking the Federal Reserve out of the regulatory equation. The administration would transfer the Federal Reserve's current supervision of bank holding companies and state-chartered banks that are members of the Federal Reserve System to the independent commission.

Fed chairman Alan Greenspan fears that transfer would cause the Fed's "essential knowledge base (to) atrophy." While Assistant Treasury Secretary Richard Carnell is right in telling this newspaper that the Fed would have one of five banking commission seats, Mr. Greenspan is correct in saying that the Fed learns much by having its people out in the field. Supervisory capacity creates firsthand knowledge of banking needs.

No doubt, it sounds awfully bureaucratic to favor keeping banks under the control of more than one national regulatory authority. But that is what Mr. Greenspan and Rep. Jim Leach, the senior Republican on the House Banking Committee, are proposing—and correctly so.

Mr. Greenspan would have the Federal Reserve and Treasury Department regulate banks, and Rep. Leach proposes a similar plan. Their aim is to consolidate existing regulatory authorities into two entities, thereby reducing overlap and avoiding regulatory monopoly while also maintaining the Federal Reserve's expertise.

These proposals should be seriously considered by relevant banking committee members, including House Banking Committee member Sam Johnson, R-Dallas. The ultimate aim, of course, must be reducing bank paperwork so that bankers spend more time on economic chores, not on regulatory paper.
A new base for Radio Free Europe

In a bid that contains as much irony as opportunity, the Czech Republic has asked the United States to move the headquarters of Radio Free Europe and Radio Liberty—the longtime broadcast antagonists of Cold War Eastern European and Soviet governments—to Prague.

It's an offer the Clinton administration should accept. Such a move promises a chance to cut costs by leaving Munich, one of Europe's most expensive cities, and by providing a new impetus for slashing the stations' huge administrative and research staffs. The relocation also would serve as a salving gesture to the Czechs and other Eastern Europeans for their expulsion from NATO when it was still vital to ex-Communist nations that have yet to establish a mature, free press.

We had argued previously that, with the Cold War over, the justification for Radio Free Europe and Radio Liberty was gone. Recent events, including most notably the Russian electoral success of neo-fascist Vladimir Zhirinovsky, suggest that judgment may have been premature.

As long as former Soviet republics remain in possession of nuclear weapons and in peril of a return to aggressive totalitarianism, it is in America's interest to maintain a message of freedom to their peoples—and a potent symbol of America's continued concern with their fates.

Still, President Clinton has been right to press Congress to streamline the dozens of U.S. broadcast outlets. As independent governments and media gain strength in Eastern Europe, and with the growing reach of private international media like CNN, the U.S. should judiciously cut service where and when it is no longer needed and consolidate administration with the parallel Voice of America.

VOA and Radio Free Europe/Radio Liberty each will spend more than $200 million this year, but much of it ineffectively. Many of their rival operations are redundant—some are outdated and both outfits have developed behemoth bureaucracies resistant to change.

A streamlined, coordinated network that nimbly responds to change is what's needed now. Moving the broadcast services to Prague offers a symbolic and substantive opportunity to take a new, forward-looking direction.

Lift the ban on trade with Vietnam

Companies from Japan, Taiwan, Hong Kong, South Korea, Australia and France are making the most of attractive business opportunities that have arisen in Vietnam since the Hanoi government began modernizing the economy in the late 1980s.

But American firms have been allowed only to prepare to do business and bid on Vietnam projects funded by international lending institutions.

Washington's ban on trade with Vietnam, a legacy of the war that ended almost 20 years ago, is what holds U.S. companies back. And what sustains the trade ban, despite its stated prerequisite for closer ties.

While some Americans see in Vietnam a chance to make profits others—families of men missing from the war and certain veterans groups—see an unfinished story full of painful questions about loved ones lost. They want a full accounting of the missing to come before all else, certainly ahead of “rewarding” Hanoi with U.S. investment.

Yet U.S.-Vietnam trade and the MIA search are not mutually exclusive. There is no need to go on ruling out the former for the sake of the latter.

So the Clinton administration, which is reviewing the trade embargo against Vietnam, should feel free to end it. The ban is an outdated restriction that serves no good diplomatic purpose and puts U.S. corporations at a competitive disadvantage to boot.

Anyway, by most accounts, Vietnam is contributing to progress in the search for MIAs, fulfilling President Clinton's stated prerequisite for closer ties.

Relations between Washington and Hanoi probably would have returned normalcy long ago but for the U.S. government's justified insistence that Vietnam assist in accounting for the 2,000 or so Americans listed as missing in action.

Though the Vietnamese were not forthcoming at first, in the last few years they have provided much information useful in the hunt for MIAs. The remains of 86 Americans were recovered in 1992, and those of 87 last year. This week, the U.S. began a new, larger-than-ever search mission in Vietnam, involving eight teams of 84 Americans.

That kind of work could continue after the no-trade barrier between Vietnam and the U.S. came down. It might even become easier to carry on.

Unfortunately, most POW/MIA family members of the powerful POW/MIA lobby think differently. They object to a change in U.S. policy toward Vietnam.

The National Alliance of Families, referring to a news report last weekend suggesting Laos kept American fliers in captivity beyond the end of the war, said, "The question of missing men in Laos, as well as in Vietnam, must be resolved before the Clinton administration lifts the trade embargo."

Not necessarily. MIA questions do remain, and should be answered to the best of the abilities of Vietnam and the U.S. government. Washington, by the way, would do itself and MIA families a favor by opening its intelligence files further to knock down lingering suspicions of a cover-up.

But the answering could just as well follow as precede the lifting of the trade embargo. We will never know what happened to every last one of the Americans who did not return from Indochina. A perfect accounting is impossible.

The sooner this fact gains acceptance, the sooner will the POW/MIA issue lose strength and cease to dominate—and distort—U.S. policy toward Vietnam.