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CLIPPINGS (MAGAZINE - NEWSPAPER ARTICLES) REVIEWED BY THE
PRESIDENT AND STAFFED,

APR 9 97

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8 G.O.P. SENATORS BACK BILL TO AID UNINSURED YOUTHS

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HEALTH MEASURE GAINS

But Battle Seems Certain Over Big Cigarette Tax Increase That Would Pay for It

A1
By ADAM CLYMER

WASHINGTON, April 8 — Eight Senate Republicans, including three committee chairmen, lined up today behind legislation that would raise cigarette taxes to pay for health insurance for children now uninsured, giving a striking boost to the bill's prospects.

Senator Orrin G. Hatch, the Utah Republican who heads the Senate Judiciary Committee, recruited seven others from his party to co-sponsor the bill, which he introduced to Edward M. Kennedy of Massachusetts.

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Mr. Hatch would increase the tax to 67 cents a pack, up from the current 24 cents. The bill would provide for a \$10 billion a year in grants for states that do not qualify for the tax incentive reduction.

Mr. Kennedy said a major benefit of the tax increase was that it would discourage youth smoking. They cited a study by Frank Chaloupka of the University of Illinois that found that every 10 percent increase in cigarette prices cut teen-age smoking by 7 percent. As a result, they estimated that their proposed 43-cent increase in a pack of cigarettes would lower teen-age smoking by 15.7 percent.

The Senate majority leader, Trent Lott of Mississippi, appeared annoyed by Mr. Hatch's recruitment of Republican co-sponsors for a measure to raise taxes, and said Republicans would find another solution to the problem of uninsured children, perhaps tax credits or tax-advantaged medical savings accounts.

"This is not last year," Mr. Lott said, "and a Kennedy big-government program is not going to be enacted."

But Mr. Hatch told a news conference that the bill should not require any additional Federal bureaucrats, since the Government already collects cigarette taxes and since the new money in grants for the states would be distributed under Medicaid formula.

"This bill will not create a huge new Federal bureaucracy, as described by some," he said.

Although the legislation will not come to a vote for months, the endorsement by 8 Republicans suggests that it may have the support to pass, for only 2 of the Senate's 45 Democrats come from tobacco states. If the 43 other Democrats vote for the bill, along with the 8 Republicans who backed it today, it will have a majority. The Senate Democratic leader, Tom Daschle of South Dakota, said the Republican backing gave the bill "a jump-start."

The Republicans whom Mr. Hatch got to co-sponsor the bill are Senators Ted Stevens of Alaska, chairman of the Appropriations Committee;

Continued on Page A20, Column 1

Continued From Page A1

James M. Jeffords of Vermont, chairman of the Labor and Human Resources Committee; Robert F. Bennett of Utah; Ben Nighthorse Campbell of Colorado; Susan Collins and Olympia J. Snowe of Maine, and Gordon H. Smith of Oregon. Mr. Hatch said he hoped to sign up more soon.

Last fall, after Massachusetts had raised state cigarette taxes to insure children, Mr. Kennedy and John Kerry, the state's junior Senator, introduced a bill that would have established a new entitlement program under which all American children would have been guaranteed insurance. That measure went nowhere.

Mr. Kennedy went shopping for Republican support early this year, with a proposal for a 75-cent-a-pack increase in the Federal tax on cigarettes. When Mr. Hatch agreed to the approach, they negotiated the tax down and put aside a third of the revenue for deficit reduction.

The program they then developed would probably not reach all 10.5 million children who now lack health insurance (including 3 million eligible for Medicaid who are not enrolled). But Senator Hatch said the children missed would be those "on

A major lift for Kennedy-Hatch legislation.

the upper levels whose families can afford" insurance.

States that choose to participate in the new program would be required to provide subsidized insurance for all children 18 or younger in families whose income is below 185 percent of the Federal poverty level (below \$24,660 at present for a family of four). Each would have to insure coverage equivalent to that of its Medicaid program. In some states, like Massachusetts, existing supplemental state insurance programs provide narrower coverage than does Medicaid.

The measure has wide support among Senate Democrats. But the Constitution requires that tax measures originate in the House, and so the Senate is unlikely to act until the House sends it a bill with the taxes included. Mr. Jeffords and Mr. Hatch may each hold hearings soon, however.

As of now, House Republican leaders say they oppose any bill that, like

this one, would increase taxes. But an aide to Representative Richard A. Gephardt of Missouri, the House minority leader, said he was working on legislation that might provide for a smaller tobacco tax increase, with all the proceeds going to child health insurance and none to deficit reduction.

Mr. Hatch said that he shared a reluctance to tax but that he regarded cigarette taxes as a "user fee," paid only by the fourth of Americans who are smokers. Moreover, he said, tobacco-related illnesses cost the Government \$50 billion a year.

Mr. Kennedy, a champion of health care legislation during his 35 years in the Senate, told the chamber that 90 percent of the nation's uninsured children had working parents with income above the level of Medicaid eligibility "but well below the level it takes to afford private health insurance today."

"Whether the issue is immunizations, asthma, ear infections, serious injuries or a host of other illnesses, uninsured children don't get timely care," he said, "and many receive no care at all. Too often the result is needless suffering, stunted growth and a lifetime of disability or early death. And as every schoolteacher and every parent knows, sick children cannot learn in school."

Report Links Crimes to States With Weak Gun Controls

By FOX BUTTERFIELD

A new Congressional study using data from the Federal Bureau of Alcohol, Tobacco and Firearms shows that a handful of states, most in the South, with weak gun control laws are responsible for supplying a large percentage of the guns used in crimes in other states.

The study found that four states — Florida, Georgia, South Carolina and Texas — accounted for a quarter of all guns seized that were acquired outside the state where they were used in crimes. Altogether, the 10 states with the loosest gun-control laws accounted for 54.2 percent of all the out-of-state guns traced to crimes in 1996, the report said.

The report, prepared by the staff of Representative Charles E. Schumer, Democrat of Brooklyn, also found that "gunrunners use major Interstate highways as their smuggling routes," especially I-95, which runs from southern Florida to Maine, bringing guns from Florida, Georgia and South Carolina to New York, New Jersey and Massachusetts, and I-55, which runs through Mississippi to Chicago.

Florida, which has no restrictions on the purchase of handguns beyond the five-day waiting period mandated by Federal law, was responsible for selling 1,243 guns that ended up being used by criminals in other states in 1996, the most of any state, according to the study. Of the total, 181 guns originally bought in Florida ended up being used in crimes in New York; 135 in Washington, D.C., and 82 in New Jersey. Ali Abu Kamal, the man who fired into a crowd of tourists at the top of the Empire State Building in February, killing one and wounding six others before he killed himself, bought the .380-caliber Beretta he used in the shooting in Florida for \$475.

The northward flow of guns on Interstate 95 is a one-way route, the study found. For example, while there were 702 guns bought in Florida, Georgia and South Carolina that were used in crimes in New York or New Jersey in 1996, there were just 11 guns bought in New York or New

Jersey that were traced to crimes in the three Southern states.

Outside the South, the study found three other states serving primarily as exporters of guns used in crimes: Kansas, which supplies Missouri; Indiana, which helps supply Illinois, and Ohio, which provides guns used in Illinois, Michigan, New York and Pennsylvania.

Alfred Blumstein, a criminologist at Carnegie Mellon University in Pittsburgh, said the new study "highlights the vulnerability in our Federal system of a state's attempt to control guns within its borders because with the interstate traffic criminals can get their guns from any of the states with lesser controls and import them."

Mr. Schumer said the report was "the first study that shows conclusively that gun control works for the simple reason that states with weak gun control laws are exporting guns to states with tough gun control laws."

"If the laws didn't work, the flows would be even," Mr. Schumer said.

As a result of the opportunities for illegal gun trafficking created by differences in gun control laws, he said, "we really have to go after the gunrunners with the same focus that we have gone after the drug runners."

To this end, Mr. Schumer said he would introduce legislation today to create a new Federal crime of gunrunning. The measure would make it illegal for anyone to sell five or more guns across state lines within a one-year period with the intent of selling or transferring the guns to another person.

Wayne LaPierre, executive vice president of the National Rifle Association, said he would oppose the bill because the only way to determine who sold more than five guns a year across state lines would be to set up a national gun registration system, a step the N.R.A. opposes as unconstitutional.

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In the past, it would have been difficult to develop the data that were used in compiling the new report, several experts said, because the Bureau of Alcohol, Tobacco and Firearms had been under political pressure from Congress and previous Administrations to minimize the amount of work it did in tracing gun ownership.

Presidents Ronald Reagan and George Bush were "soft on gun control," Professor Blumstein said, and Mr. Reagan even campaigned on a pledge to abolish the bureau to curry favor with the N.R.A.

But under President Clinton, the experts said, the firearms agency has been allowed to greatly expand its role in tracing guns used in crimes, so that the number of traces of guns used in crimes is expected to reach 100,000 this year, up from 45,104 in 1992, said John Limbach, a spokesman for the agency.

This increase in the scope of the gun tracing program is crucial because "the volume is now large enough to constitute a good nationwide sample" of what gunrunning actually looks like, said David Kennedy, a senior researcher at the John F. Kennedy School of Government at Harvard University.

A CLOSER LOOK

Tracing Guns to Their Source

A new Congress percentage of country could Here are the percent, of the crimes in 1991

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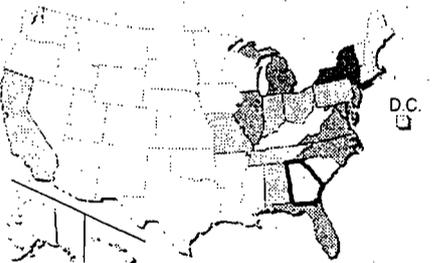
SOUTH CAROLINA

Of 992 guns from South Carolina, 85 percent went to seven states; 430 to North Carolina.



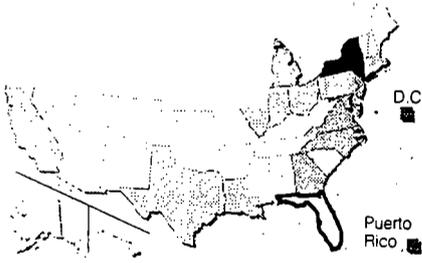
GEORGIA

Of 939 guns from Georgia, 88 percent went to 16 states and the District of Columbia.



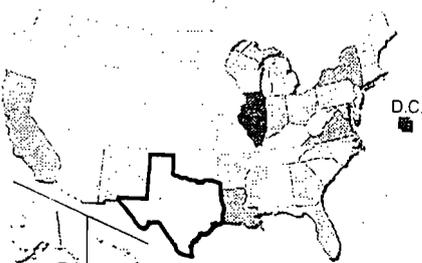
FLORIDA

Of 1,243 guns from Florida, 88 percent went to 15 states, Puerto Rico and the District of Columbia.



TEXAS

Of 1,068 guns from Texas, 80 percent went to 19 states and the District of Columbia.



VIRGINIA

Of 924 guns from Virginia, 84 percent went to 8 states and the District of Columbia.



Source: Rep. Charles E. Schumer's Office, based on data provided by the Bureau of Alcohol, Tobacco and Firearms

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Congress in a Fight 'Severe Famine' in North Korea

By Kevin Sullivan
Washington Post Foreign Service

TOKYO, April 8—People in the North Korean countryside are starving, underweight and "rapidly descending into the hell of a severe famine," according to Rep. Tony P. Hall (D-Ohio), who just completed a rare three-day visit there.

"Evidence of slow starvation on a massive scale was plain wherever we made an effort to look," Hall said, adding that conditions had deteriorated significantly since he made a similar visit last August.

Hall said he was allowed unlimited access to villages north of the capital city of Pyongyang, where few outsiders are permitted. He said he met an elderly woman making a soup from year-old cabbage leaves; he visited an unheated hospital with no medicine that was so cold he could see his breath; and he saw "shockingly underweight" children, many of whom were orphaned when their mothers had died from malnutrition.

"I doubt one of them will live to see this year's harvest," Hall said, briefing reporters at the U.S. Embassy here on his return trip to the United States.

Hall's bleak assessment of the situation inside North Korea mirrors those of the relatively small number of other outsiders who have been allowed to visit. The U.N. World Food Program says the Stalinist nation is on the verge of famine and it has issued an appeal for massive amounts of immediate humanitarian food aid.

But North Korea's secretive leadership has so tightly controlled information from inside its barbed-wire borders that there has been only a modest response to the country's calls for help. Also, many countries cannot abide the idea of sending food to a nation that, despite impending famine, still spends billions of dollars

a year to maintain one of the world's largest military forces.

Japan announced this week that it will not provide any immediate food aid to North Korea, despite the urgings by the World Food Program; by the United States, which has pledged \$10 million; and by South Korea, which has pledged \$6 million.

Japanese officials said North Korea's suspected involvement in a kidnapping of several Japanese residents in the 1970s, including a 13-year-old girl, make it impossible for them to provide food assistance.

North Korea has also demanded massive amounts of food aid as a condition of its agreeing to attend peace talks proposed by President Clinton and South Korean President Kim Young Sam. Those four-party talks—among the two Koreas, the United States and China—would be aimed at establishing a permanent peace on the Korean Peninsula, where the cease-fire that ended the

Korean War has been in effect for 44 years. The United States and South Korea have ruled out sending food as a condition to holding the talks.

Hall, who has devoted much of his congressional career to hunger issues, said such political concerns should be secondary to the potential mass starvation in North Korea. He said he intends to press the U.S. government, as well as Japan and South Korea, to provide more humanitarian aid.

"I look at this country not in a political sense," he said. "Women, children, the elderly—they don't know anything about four-party talks—they want to eat, they want to live."

Some observers of North Korea have suggested that food aid is the smartest course to follow because starvation could lead to instability, which could increase the chances of some desperate military action.

Others argue that a popular uprising is unlikely because of the cult-

like following that "Dear Leader" Kim Jong Il has inherited from his father, Kim Il Sung. Hall said he noticed that people he interviewed randomly professed loyalty to Kim Jong Il despite their desperate living conditions. He said no one he talked to criticized the government, insisting instead that "the Dear Leader's going to take care of us."

Hall's party included a Korean-speaking doctor from the Centers for Disease Control and Prevention in Atlanta, a U.S. Army colonel and a reporter from USA Today.

U.S. Army Col. Frank W. Brittain, a congressional liaison officer in the office of the secretary of the Army, declined to describe his role on Hall's trip. But he said he believed he was the first U.S. military officer to visit the North Korean side of the Yalu River, in the northern region near China, since the Korean War.

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The Washington Post

WEDNESDAY, APRIL 9, 1997

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Rahm Emanuel
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Clinton to Express Regret For Experiment on Blacks

By DAVID STOUT

WASHINGTON, April 8 — President Clinton will apologize on behalf of the Federal Government for a medical experiment in which hundreds of black men were denied treatment for syphilis for 40 years, the White House said today.

"The President feels we have a moral obligation," a White House spokeswoman, Mary Ellen Glynn, said. Ms. Glynn said several agencies have been discussing how to express official regret for the experiment in which the United States Public Health Service withheld treatment from 399 men from 1932 to 1972 to study how syphilis spread and how it killed.

The experiment was carried out in Tuskegee, Ala., and a lawyer for the eight survivors of the experiment said today that Tuskegee would be an ideal place for Mr. Clinton's statement.

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"This would be happening regardless of that," Ms. Glynn said of the President's apology.

The White House announcement came as four of the eight survivors gathered at a church in Notasulga, Ala., that once served as an intake station for the study. "I lived through it, and I thank the Lord for it," Herman Shaw, who is 94 and joined the study in 1932 in hopes of getting up-to-date health care, told reporters.

Mr. Gray said the youngest survivor is 87 and the oldest "somewhere between 100 and 109." Of the eight survivors, six actually had syphilis and two were part of a control group whose members did not have it, Mr. Gray said. The study began in 1932 with 623 subjects, including those in the control group, he said.

Those who had syphilis, which can cause mental illness and death, were not told that they had the disease. Nor were they given penicillin after it became a standard treatment for syphilis in 1947.

The study was made public in 1972 and caused widespread outrage. Since 1973, the Federal Government has paid \$10 million to victims and their heirs, more than 6,000 people, Mr. Gray said.

By JAMES BENNET

WASHINGTON, April 8 — President Clinton has ordered his staff to suggest a way for him to play a prominent role this year in improving American race relations, a goal that he is trying to make a focus and legacy of his second term.

Two chief options that his aides are preparing include a conference on race led by the President and a short-term panel modeled on the Kerner Commission, which found in 1968 that the United States was "moving toward two societies, one black, one white — separate and unequal."

Mr. Clinton made racial division a central theme of his Inaugural Address last Jan. 20, calling it "America's constant curse." Two weeks later, underscoring his renewed sense of mission on a subject that has preoccupied him since he was a boy, he returned to it again in his State of the Union Message by reading aloud the biblical passage he had placed his hand on when he took the oath of office: "Thou shalt be called the repairer of the breach."

Now, anticipating a major announcement next month once the President decides how to proceed, his aides have been scheduling events in which Mr. Clinton stresses race, or more broadly, unity. He plans to take part next week in ceremonies at Shea Stadium in New York City on the 50th anniversary of Jackie Robinson's first game in major league baseball.

Under fire for months over Democratic campaign finance practices, the White House has been searching for issues and events that make Mr. Clinton appear intent on the people's work, rising above what his aides hope will seem by contrast to be inside-the-Beltway nattering. A high-profile stance on race would seem to fit snugly with that strategy.

The President's aides said that they were considering their options with an eye toward something that would be seen 20 years from now as having the greatest impact, and that they are trying to determine the right balance between action and study. A White House conference on race would command national attention for days and help elevate the issue, they believe.

The aides said Mr. Clinton was more intent on stimulating public conversation about addressing racial division than on generating specific policy suggestions.

Although civil rights groups have been pressing the President to address the race issue, aides and associates say he is acting on his concerns as a 50-year-old Southerner who watched Federal troops integrate public schools in Little Rock, Ark., and later went off to college during Freedom Summer with the oratory of the Rev. Dr. Martin Luther King Jr. ringing in his ears.

While never on the front lines as a civil rights advocate, Mr. Clinton has spoken out against racism since he

was a boy. At 16, he fought for a civil rights plank in the platform of his party at the American Legion Boys Nation outside Washington. But some of his liberal supporters felt he raised the subject too rarely in his first term as President, and many were outraged last August when he signed legislation that made sweeping changes in the welfare system; critics said the changes would exacerbate racial divisions.

People familiar with the White House plans say that, unlike past Presidents who were forced by events to grapple with racism, Mr. Clinton is choosing to elevate the issue on his own. "Nothing's forcing Clinton to react," a Clinton associate said. "There's not a whole lot of forward-looking pressure on the race issue."

Another associate said the President was also considering a separate forum to address discrimination against people on grounds other than race, such as sexual orientation. That step would help Mr. Clinton highlight the broader issue of unity, a frequent theme of his speeches.

Mr. Clinton ordered Erskine B. Bowles, the White House chief of staff, to begin considering how he would best address race at about the time of the State of the Union Message in early February, a White House official said.

Rahm Emanuel, the senior adviser to Mr. Clinton, confirmed today that the White House was considering different formats for the President to address race. "The goal here is to intensify the dialogue between the President and the American people on race relations in America," he said, "and also to challenge different communities about their obligations to each other."

Civil rights groups have been pressing the White House to take such a step. In January, the Leadership Conference on Civil Rights submitted a report on hate crimes to Mr. Bowles. Its first recommendation was that Mr. Clinton convene a White House conference on fighting bigotry.

Told of the White House plans today, Wade J. Henderson, the executive director of the group, said such a White House initiative would be an "important step."

"Perhaps better than other recent Presidents, Bill Clinton understands at a fundamental level the destructive problems posed by unresolved discrimination in our society," he said.

One Clinton associate said the commission would work against a tight deadline. "This isn't a multiyear commission," he said. "It's multimonth." He said the White House had prepared a list of about 100 people who might serve as members of the commission.

Several people familiar with the planning said Mr. Clinton's background uniquely prepared him to address the race issue. "A lot of it's where he's from, and a lot of it is how he thinks and talks about it," a senior White House official said. "We have a unique opportunity with this President."

As His Legacy, Clinton Seeks to Improve Race Relations

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Apparel Industry Group Moves to End Sweatshops

Agreement to Bring Worldwide Inspection

By STEVEN GREENHOUSE

A Presidential task force that includes human rights groups, labor unions and apparel industry giants like Nike Inc., Reebok International Ltd. and L.L. Bean has reached a groundbreaking agreement that seeks to end sweatshops by creating a code of conduct on wages and working conditions, including a maximum 60-hour workweek, for apparel factories that American companies use around the world.

The task force has also agreed to set up an association to oversee monitors who would inspect apparel factories worldwide and give a seal of approval to companies that comply with the code of conduct.

Task force members vowed to follow the code in the factories they use in the United States and abroad. Par-

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hoped that dozens of companies would meet to discuss the effort to raise work standards in apparel factories worldwide. The agreement was reached after a meeting on Monday, April 7, in Washington. Mr. Sperling, chair of the task force, said Clinton hoped to announce the agreement next Monday at a White House ceremony where he will be flanked by industry, labor and human rights officials. Mr. Sperling, who refused to confirm details of the agreement, said, "The progress that's been made represents a unique and historic step to eradicate sweatshops here and around the world."

He said the diverse group of members "were willing to sacrifice each of their sense of what was perfect to achieve something for the common good."

Companies that comply with the code will be able to put a label or tag on their clothing assuring consumers that it was not made in a sweatshop.

Linda Golodner, the co-chairwoman of the task force and president of the National Consumers Federation, said, "The benefit for everyone is what the whole task force was about: that's to make sure consumers can purchase goods that have not been made in a sweatshop and make sure that there's a process in place to check that factories are not sweatshops."

The agreement came after weeks of meetings in which the apparel companies clashed with labor and human rights representatives about minimum wages and maximum hours in factories and who should monitor the factories. Task force members said they are still debating some wording in the proposed guidelines.

Roberta Karp, the task force co-chairwoman who is general counsel at Liz Claiborne Inc., said, "Industry, human rights, labor and the Clinton Administration shared a commitment and our collective work will result in improved working conditions around the world."

Underlining the difficulty of reaching an accord, the task force agreed on an ambiguous standard for wages, saying that while factories that American companies own or contract with should pay the minimum wage in the countries where they are located, there should be a link between wages and the basic needs of workers. Several labor and human rights representatives on the task force contended that in countries like Haiti, the minimum wage is too low to support a family.

At Monday's meeting in Washington, the most hotly debated issue was working hours. The corporate members, which included Nicole Miller, Patagonia and the Phillips-Van Heusen Corporation, agreed to a maximum 60-hour workweek with several wrinkles: that the maximum standard workweek would be 48 hours in countries that do not already have a standard of fewer hours, while the maximum number of overtime hours required of apparel employees would be 12.

The two labor unions represented were the Union of Needletrades, Industrial and Textile Employees and the Retail, Wholesale and Department Store Union. Jeff Ballinger, president of Press for Change, a labor rights group that has often decried the working conditions of shoe factories that American companies use abroad, said the 60-hour maximum was an important step forward.

"If orders are backlogged or if there's a rush, many times workers will have to work 65 to 70 hours a week for weeks on end," he said.

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The agreement on maximum hours will even affect factories in the United States, where there is a standard 40-hour workweek, but no limit on how many overtime hours can be worked. Under the new code, participants would agree not to force employees in their American factories to work more than 12 overtime hours beyond the 40-hour workweek.

The task force, which was set up last summer, reached an agreement early on child labor. Factories should not use workers under 15, although in some countries they would be allowed to employ 14-year-olds.

In addition, in an industry where workers often say they are hit, fondled or shouted at, the task force agreed on anti-harassment provisions that human rights representatives praised. The code states that all workers be treated with respect and "no employee shall be subject to any physical, sexual, psychological or verbal harassment or abuse."

In one of the major sticking points, labor and human rights members said they wanted human rights groups or church groups to monitor factories, while corporate members said the monitors should generally be accounting firms with international offices, because such firms can easily operate anywhere.

Under the deal, companies could choose accounting firms to serve as monitors but those firms would be asked to work with human rights groups.

Task force members said that they needed to work out many details over the next such months, including how the governing association will be structured, who will serve on it, who will finance the association and the monitoring, and what labels would be put on clothing to show they were not been made in sweatshops.

Stanley Levy, a Los Angeles lawyer on the task force who represents apparel companies, said, "It's a difficult task to get all the parties to reach an agreement that sets worldwide standards."

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Conservative Intellectual Picked As New Archbishop of Chicago

Oregon Prelate to Succeed Cardinal Bernardin

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By GUSTAV NIEBUHR

Continued From Page A1

Offering an important indication of the type of leadership it is seeking for America's Roman Catholics, the Vatican announced yesterday that it had selected Archbishop Francis E. George of Portland, Ore., a theologically conservative intellectual, as the new Archbishop of Chicago.

Archbishop George, 60, whose name was seldom mentioned in the months of speculation that preceded the announcement, succeeds Joseph Cardinal Bernardin, a nationally influential leader among church moderates, who died last November after a long bout with pancreatic cancer.

Authorities on the church said that in selecting Archbishop George, who will be installed on May 7, the Vatican had chosen an intellectual committed to defending traditional Catholic teaching but also interested in issues of social justice for the poor and others — a man, in other words,

Paul II.

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mas J. Reese, a *Woodstock Theological* *University Press*, 1996), that this papacy is *ops who are promi-* *perhaps more than* *will proclaim and* *line of the church as*

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American Catholicism at the University of Notre Dame, called Archbishop George "theologically right in line with the papacy, doctrinally in line, but socially progressive."

The Chicago appointment was considered especially important because spiritual leaders of three other highly influential archdioceses — John Cardinal O'Connor of New York, James Cardinal Hickey of Washington and Anthony Cardinal Bevilacqua of Philadelphia — are either nearing or past the church's official retirement age of 75 and are expected to step down within the next few years. After they turn 75, bishops may continue to serve at the Pope's request.

Archbishop George, a Chicago native with Ph.D.'s in theology and American philosophy, has a reputation as personable and witty. People familiar with Chicago's often independent-minded priests and laity say both qualities are needed in Cardinal

Bernardin's successor. The Cardinal was admired for his pastoral skills and ability as a consensus-builder. It was partly through the latter quality that Cardinal Bernardin earned a reputation as a moderate, in contrast with those bishops who would be more confrontational in defense of church teachings.

At a news conference in Chicago yesterday, Archbishop George described himself as a prelate firmly loyal to Catholic orthodoxy, yet possessing a measure of pastoral sensitivity toward those who question some teachings, like the prohibition against ordaining women for the priesthood.

"The faith isn't liberal or conservative," he said. "The faith is true. And I will preach the faith."

He acknowledged an "upset" among many Catholics over the ban on women as priests. "I want to talk to them," he said, "to understand how they see the teaching."

Archbishop George's appointment was not the only one announced yesterday by the Vatican. The Pope also appointed Auxiliary Bishop Edwin F. O'Brien of New York, 58, as Co-Adjutor Archbishop for the Military Services U.S.A. That jurisdiction, based in Hyattsville, Md., covers one million Catholics in the armed forces. Bishop O'Brien has been rector of St. Joseph's Seminary in Yonkers.

One Catholic who has worked with Archbishop George, Helen Hull Hitchcock, director of Women for Faith and Family, a conservative group, said, "His style is not one of great combat or pyrotechnics." But she added, "That does not mean he does not have very strong convictions."

Professor Appleby said Archbishop George "seems to be more of an intellectual" than Cardinal Bernardin. But he also said he did not think the new Archbishop would be as open, at least at first, to talking with church dissidents as the Cardinal was at the end of his tenure.

The Rev. Andrew Greeley, a Chicago priest and sociologist who has warned that Chicago Catholics will not accept a new archbishop with an authoritarian style, said he felt encouraged by the way Archbishop George had spoken at his news conference.

"He was articulate, self-confident and clearly very, very intelligent," Father Greeley said.

Archbishop George, who limps because of a childhood bout with polio, has served since 1992 as moderator of the National Catholic Office for

People With Disabilities.

He has not hesitated to speak out on behalf of groups that he considers the "vulnerable." He has been an outspoken opponent of abortion and an Oregon initiative that would permit doctor-assisted suicide. While Bishop of Yakima, he opposed an anti-gay-rights measure in Washington State in 1994. He remained neutral on a less harsh measure in 1995 but said discrimination against people "because of sexual orientation is wrong."

In Chicago yesterday, Archbishop George paid a visit to Lenard Clark, a black youth recovering from an attack by white teen-agers on Chicago's South Side last month.

Frank Fromherz, director of the office of justice and peace in the Campaign for Human Development, a church antipoverty program in the Portland Archdiocese, said, "I think he understands the concerns of people who feel voiceless in our society."

Ordained in 1963 into a religious order, the Oblates of Mary Immaculate, Archbishop George is a rarity among American prelates, who typically come from the ranks of diocesan priests. He served as a vicar general of the order.

His appointment as Chicago's new Archbishop marks a remarkably rapid ascent. Archbishop George became head of Portland's 278,000

Catholics only a year ago, after serving six years as Bishop of Yakima, home to about 70,000 Catholics. Chicago has 2.3 million Catholics.

The appointment of a bishop is ultimately a decision made by the Pope. But recommendations for the office are made by the Vatican's Congregation for Bishops, a 40-member body. The Pope may choose someone whom this group recommends, or appoint someone else.

The Congregation for Bishops includes three American Cardinals: William Cardinal Baum and Edmund Cardinal Szoka, who head Vatican agencies, and Cardinal O'Connor.

But some observers said Archbishop George's appointment might show the influence of Bernard Cardinal Law, Archbishop of Boston. From 1986 to 1990, Archbishop George served as coordinator of a research center established by Cardinal Law, the Cambridge Center for the Study of Faith and Culture.

James Hitchcock, a prominent Catholic conservative who teaches history at St. Louis University and is Mrs. Hitchcock's husband, said six priests from Boston had become bishops during Cardinal Law's tenure as Archbishop. He said he did not think "any other prelate in the hierarchy" had seen so many of his priests appointed bishops.

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Continued on Page A18, Column 1

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Senate Appears to Move Toward

By Thomas W. Lippman
Washington Post Staff Writer

More than three years after beginning consideration, the Senate appears to be moving quickly toward a final decision on whether to ratify a treaty banning the production and use of poison gas weapons that is bitterly opposed by hard-line arms control opponents and many conservative Republicans.

Majority Leader Trent Lott (Miss.) said last night that he is seeking unanimous consent to put the treaty to a vote, perhaps as early as next week. In anticipation of Lott's move, Democratic leader Thomas A. Daschle (S.D.) dropped an announced plan to block other pending legislation in an effort to force Lott's hand.

In order to put the treaty known as the Chemical Weapons Convention to a vote, however, Lott needs the approval of Foreign Relations Committee Chairman Jesse Helms (R-N.C.), a long-trenched foe of the agreement. Last night aides to Helms said he is still not prepared to go along.

Helms told Secretary of State Madeleine K. Albright at a hastily scheduled committee hearing yesterday that "some in the administration are still stonewalling" on conditions Helms is seeking to place on U.S. participation in the international chemical control system created by the treaty.

Helms might be prepared to let the treaty emerge from his committee and

go to a vote of the full Senate despite his objections, aides said, but only if Lott agrees to oppose the treaty when the full Senate takes it up.

If Lott agrees, supporters of the treaty said last night, the administration's appeal for a quick vote might backfire because it is unlikely that treaty supporters could get the two-thirds vote they need for ratification with Lott joining Helms in opposing it.

"There is no agreement on the Chemical Weapons Convention," Lott said in a statement last night. "I am meeting with senators and representatives of the administration tomorrow [Wednesday] and hope we can conclude an agreement. A number of issues—both substantive and procedural—need to be resolved, and I hope they will be."

The reason for the deadline sphere after more than three that 70 nations have already ratified. That's enough to put it effect April 29 with or without U.S. participation. If the United States has not ratified it by that date, Albright said yesterday, the United States will be excluded for at least a year from an international enforcement system, no Americans will be members of international inspection teams and U.S. chemical manufacturers could face sanctions from participating nations.

Albright asked to make her first appearance before Helms's committee as secretary of state as part of the war of dueling national security celebrities between the administration and Helms. Each side has marshaled an array of for-

heard three former secretaries of defense—Donald Rumsfeld, Caspar Weinberger and James Schlesinger—denounce the treaty as unenforceable, unverifiable and a threat to U.S. security interests. They argued that the countries most likely to use poison gas weapons, such as Iraq, are unlikely to ratify the treaty and would violate it even if they did.

Albright asked to be heard because she thought the hearings on the treaty this week were stacked in favor of the opposition. Helms made clear yesterday that his much-publicized friendship with

Chemical Weapons Treaty

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Albright does not extend to yielding to her entreaties on the chemical accord.

The intention of the treaty is to ban the production, sale, possession and use of nerve gas weapons and their component chemicals. Opponents say they approve of the goal but not of the instrument.

"It is not global, it is not verifiable, it is not constitutional, and it will not work," Helms said.

It is too late to modify the treaty, but Helms has proposed a "resolution of ratification" that would place 30 conditions on U.S. ratification. He and the administration have reached agreement on 22, officials said, but those remaining are unacceptable to the White House, which regards them as "treaty-killers."

Helms is demanding that Chinese,

Cubans and Iranians be excluded from inspection teams sent to this country; that the international enforcement organization in the Hague be liable for any damages suffered by leaks of proprietary business information from inspected U.S. firms; that international inspectors obtain criminal search warrants before visiting U.S. facilities; and that the United States retain the right to use tear gas in some military operations.

FOR MORE INFORMATION

For the full text of the Chemical Weapons Convention and a list of the original signatories, click on the above symbol on the front page of The Post's Web site at www.washingtonpost.com

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WEDNESDAY, APRIL 9, 1997

The Washington Post

Military Forces Are Near 'Breaking Point,' GOP Report Charges

By Bradley Graham
Washington Post Staff Writer

Increased demands on a reduced U.S. military to engage in peace operations and other noncombat missions have stretched units to "the breaking point," according to a House Republican report on the condition of American forces to be released today.

While congressional warnings about a growing military readiness problem have sounded for several years, the new study provides the most extensive anecdotal evidence so far about the toll on American forces of frequent post-Cold War deployments, long tours away from home, personnel shortages, and inadequate pay and living conditions.

"Indicators of a long-term systemic readiness problem are far more prevalent today than they were in 1994," said the report issued by Rep. Floyd Spence (R-S.C.), chairman of the House National Security Committee, after a

seven-month study by his staff. "Declining defense budgets, a smaller force structure, fewer personnel and aging equipment, all in the context of an increase in the pace of operations, are stretching U.S. military forces to the breaking point."

Pentagon leaders, citing official readiness indicators, have insisted that U.S. forces remain as prepared for battle as ever.

For several years, the Clinton administration has listed readiness as its top priority in apportioning the defense budget, setting a historical high in operational and maintenance spending per soldier.

Some defense experts have accused Republican legislators of fanning talk of a readiness crisis for political ends—to justify increases in defense spending, forestall more troop reductions and embarrass the Clinton administration. They contend that any strains in the force could be relieved simply by more

selective and efficient management of deployments.

But the House report, which was drafted without the participation of committee Democrats, describes a pervasive erosion of operational conditions and combat training. It says the quality of military life is deteriorating "to the point where a growing number of talented and dedicated military personnel and their families are questioning the desirability of a life in uniform." And it says military equipment is aging prematurely due to extended use and reduced maintenance.

The report faults the Pentagon's system for tracking readiness as flawed and incomplete.

The system, which is being revised by Defense Department officials, has focused mostly on whether units possess the required resources and training for wartime missions and includes little provision for measuring such factors as morale or deployment rates.

The official view of how troops are

faring, the report asserts, contrasts markedly with what committee staff members found in visits to more than two dozen installations and over 50 units in the United States and Europe.

"Doing more with less may be the military's new motto," says the report, "but it is certainly not a sustainable strategy, nor is it conducive to ensuring the long-term viability of an all-volunteer force."

With the Pentagon in a middle of a major review of U.S. defense needs, the report cautions that any attempt to shrink the force further will "surely exacerbate the readiness problems that are identified in this report."

Since the waning days of the Cold War, American forces have dropped from 2.1 million to 1.45 million service members, while the number of deployments to such places as Bosnia, Haiti and Somalia has risen sharply.

Although only a small percentage of all U.S. military forces is involved in these missions at any given time, the

extended duration and frequency of the deployments have magnified their impact.

The combination of lower troop numbers and more numerous deployments has led to shortages particularly of mid-grade, noncommissioned officers, the report says. To cover gaps, service members often are assigned to jobs for which they lack the requisite training and experience, the report adds.

Moreover, deployment times too often exceed the 120-days-per-year maximum set by the services, the report says. To make ends meet, those units that do deploy frequently scavenge parts and people from other units, creating "troughs of unreadiness" in the force that are "deeper and of longer duration" than before, the report adds.

Particularly troubling, the report says, is an evident drop in the amount and quality of training, caused by funding shortages and reduced opportuni-

ties to train because units are on deployment or covering for units that are.

"The widespread belief of trainers interviewed at the services' premier high-intensity training sites—the National Training Center at Fort Irwin, the Marine Corps' Air Ground Combat Center at Twentynine Palms and the Air Force's Air Warfare Center at Nellis Air Force Base—is that units are arriving less prepared than they used to and are not as proficient when they complete their training as in the past," the report states.

Although military retention rates remain relatively high, the report says these official statistics cloud the fact that the "best of the best" are getting out. According to an internal Army survey quoted in the report: "Job satisfaction is down and about two-thirds of leaders say organizations are working longer hours. . . . The force is tired and concerned about the uncertainty of the future. . . . Morale is low at both the individual and unit level."

THE PRESIDENT HAS SEEN

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Too many HMOs stint on emergency-room care

OUR VIEW That's why states are finding it necessary to force payment for real emergencies. Will Congress act?

Tales from the crypt of managed care:

► In Arkansas, an insurer refused for almost a year to pay the emergency-room bills of patient who suffered a broken neck in a car wreck. Why? The emergency care wasn't preapproved.

► In Michigan, an insurer used the same reason to deny a \$1,200 claim after a woman was rushed to a hospital in full cardiac arrest. She died; the bill lived on.

► In Pennsylvania, a 20-year-old woman with abdominal pain and vaginal bleeding was denied emergency-room care not once but twice for what turned out to be a ruptured ectopic pregnancy.

► And in Maryland, a man was brought to an emergency room with such severe pneumonia he was rushed to intensive care. His wife said she delayed seeking treatment until she got approval from the insurer, which had previously refused to pay for unapproved emergency visits.

These are anecdotes, obviously. But the problem appears widespread. A 1993 federal study found that 60% of all claim disputes between Medicare patients and health maintenance organizations involved emergency care. Last year in Oregon, Pacificare, a well-respected managed-care provider, was fined \$20,000 for failing to properly investigate emergency-room claims before denying them.

In response, at least 12 states, including managed-care-heavy California, have enacted regulations requiring insurers to pay emergency-room claims. At least two dozen more are considering something similar. And a federal proposal, which unlike state laws would also cover large companies and others that self-insure, is in the works. The laws vary, but they generally require payment if the patient had symptoms severe enough that a "prudent layperson" would have been concerned.

All of this is necessary because the industry's practice of requiring preapproval can deter people from seeking urgently needed care. For instance, the difference between the pains that signal indigestion and those that signal a heart attack are often very slight. Insured Americans should not feel pressured to delay seeking help simply because they can't tell the difference. Nor, of course, should they delay seeking emergency care for fear of getting socked with an unmanageable bill.

More than money is at issue, though. Misdiagnosis is a risk, too. Preapproval of emergency care often requires that ailments be diagnosed over the phone by a managed-care gatekeeper who may not even be a doctor. In New York, an 8-year-old girl living in a homeless shelter was initially denied emergency-room coverage for

Who gets emergency care

For nonemergency conditions

Most visits to emergency departments are not actual emergencies.



Age makes a difference

The oldest Americans are more likely to seek emergency room care. Number of visits per 100 persons per year by age:

Under 15	40.2
15-24	42.6
25-44	34.0
45-64	25.8
65-74	31.8
75 and over	56.5

And older people are more likely to be suffering from real emergencies. Urgent visits per 100 persons per year:

Under 15	16.9
15-24	18.1
25-44	14.8
45-64	13.8
65-74	19.6
75 and over	37.6

Source: Centers for Disease Control, 1996 report

flu-like symptoms that turned out to be meningitis. Only the caution of an attending emergency physician prevented her from taking that deadly and contagious disease back to the streets.

Finally, the problem is not just a consumer issue. Hospitals are required by law to provide emergency care to all comers, regardless of final diagnosis. They handled 93.4 million emergency visits in 1994. Total cost of such care: roughly 2% of the nation's total health expenditures, or something in excess of \$20 billion. Hospitals will always be left holding the bag for much of the care they give to the uninsured. They shouldn't have to pay for reasonable care provided to people who are insured, too.

Because consumers may indeed visit emergency rooms for routine care, some hospitals have installed on-site triage operations to perform quick medical screens and provide appropriate levels of treatment. Others do their best to contact insurers without compromising patient health. But as cost pressures grow, consumers in crisis need to be able to rely on more than institutional good will to ensure their care.

Few health mandates, especially those that second-guess health-care professionals, make sense. But requiring an industry to do its job — in this case, to care for and cover people in need of medical attention — is neither picayune nor meddlesome. It is the right thing — the best thing — to do.

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USA TODAY

WEDNESDAY, APRIL 9, 1997

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New Approach Dissipates Boston's Gang Troubles

■ **Law enforcement:** Plan to put probation officers on the streets has brought dramatic reversal in violence.

By DAVID LAMB
TIMES STAFF WRITER

BOSTON—First, the hard facts:

Homicides in Boston hit an all-time high of 152 in 1990. Eighteen of the victims were 17 or younger. Gangs had turned sections of Roxbury into combat zones. Hardly anyone under 25 walked the streets of Dorchester without a knife or gun. Drug dealers carried out drive-by shootings in cars and on bicycles. One pack of thugs hunted down a young woman and stabbed her 130 times.

Gang behavior had become so bold—particularly after 1989, when a Superior Court judge threw out a gun charge against a teenage tough

and blasted the police for violating the youth's 4th Amendment rights—that gangs disrupted courtrooms at will and intimidated so many witnesses in the corridors that a judge in Dorchester District Court called for assigning the National Guard to secure order.

Boston had reached the point, Police Commissioner Paul Evans recalled the other day, "that there were questions about the future viability of the city. Back then, we really had no sense of the gang structure, and not very good intelligence. We were just going around answering 911 calls and picking up bodies."

But today, armed with an
Please see BOSTON, A7

BOSTON: Plan to Put Probation Officers on Streets Curbs Gangs

Continued from A1

innovative, low-cost program that is attracting national attention, Boston is winning the war it was in danger of losing. Last year, homicides dropped to 59—a 30-year low. The number of nonlethal shootings was cut in half between 1995 and 1996. School violence is down 20%. Perhaps most remarkable, at a time when U.S. youngsters are 12 times more likely to die by gunfire than their counterparts in the rest of the industrialized world, no Boston teenager under 17 has been killed by a gun or a knife since July 1995.

To find out how Boston took back its streets, hop in Kenny Israel's unmarked Ford LTD as he turns off Blue Hill Avenue in Roxbury. Israel and his partner, David Singletary, are members of the police department's elite Youth Violence Strike Force. They are dressed in baggy pants, bulky jackets and boots. Singletary wears a diamond earring. Knots of street-corner teenagers see them approach and drift off, trying to look indifferent. The two cops know almost every one of them by name.

In the back seat of their car, Traina Johnson, an unarmed probation officer, is saying: "OK, just to let you know ahead of time, our first stop is [an] assault-and-battery on a police officer and receiving stolen property. He's got a 9 o'clock curfew."

Moments later, they are knocking at the door of a two-story house. It is 9:10 p.m. The aunt answers and, no, Seth isn't home. Johnson tells her this means big trouble; Seth could go to jail for violating the terms of his probation. The three visitors are polite, direct. The aunt says, "I'll do what I can."

A Strategy of Collaboration

Juvenile crime is declining nationally, but Boston's drop has been unusually dramatic. It is happening, criminologists say, because various agencies, ranging from the district attorney's and U.S. attorney's offices to the police department and community groups, are setting aside institutional egos to agree on a



Agence France-Presse

President Clinton traveled to Boston last February to take part in a discussion about juvenile crime with Boston Mayor Tom Menino.

collaborative strategy.

Plus there is the new role assigned to probation officers such as Johnson. No longer do they just sit behind a daytime desk at the courthouse. By putting some of its probation officers on the streets with the police in an operation the city calls "Night Light," Boston has changed the rules. It has made probation a deterrent instead of a joke that was widely ignored with impunity.

No longer do offenders on conditional liberty just see their probation officers for a weekly five-minute courthouse check-in. Now

they may encounter them at home or on the street, day or night. Anywhere the police are, probation officers are apt to be too, and any violation of court-ordered restrictions—such as ignoring curfew or associating with undesirable—can lead to the state prison at Walpole.

"I think for a lot of kids, Night Light represents an out," said Rev. Raymond Hammond, president of the Ten Point Coalition, a religious group combating juvenile violence. "They can say, 'I can resist peer pressure now. It's been decided for me. I have to be home.' On a secret

level, this is what many of them want.

"The police aren't using storm-trooper tactics, and the statistics are clear," Hammond said. "The program is working. The streets are safer. There's been improvement in every neighborhood. We're not just talking about Beacon Hill."

Notorious Gang Now Out of Business

One advantage probation officers have is that, unlike police officers, they can enter a home without a warrant to check on a probationer. They can elicit information more easily than the police because of their influence over and knowledge of probationers. And riding in the back of a patrol car, they can spot their "cases" and know immediately if they are in violation of probation. By using a strategy of intervention, deterrence and enforcement, the reasoning goes, they and the police can react before the 911 call has to be made.

The Boston Police Department's attitude toward gangs and guns is one of "zero tolerance." When the Intervale gang, one of the city's most notorious, ignored law enforcement demands to end a series of shootings, officers picked up 23 of its members on the first day of school in 1995, most of them on federal drug charges. The police then called in a National Guard bulldozer to raze the gang's shack in a vacant lot and to knock down an oak tree into which members had tossed a hundred pairs of sneakers as a symbol of territorial rights.

Intervale is now out of business. And gang leader Freddie Cardoza, who had taunted police officers by casually flipping a bullet when they stopped to question him, is doing 20 years in a federal prison. He was convicted as a career criminal in possession of ammunition—a single bullet.

"That's the kind of cooperation there is now between law enforcement agencies," said James Jordan, the police department's director of strategic planning. "Before, if you'd tried to get the Justice Department

to prosecute a guy for having one bullet, they'd have looked at you like you had two heads."

Additionally, police have been helped in efforts to get troublemakers off the streets by a new state law that mandates a six-month prison sentence for juveniles in illegal possession of firearms—51 juveniles have been convicted in the last 13 months—and by a court

A study by Harvard University's School of Government revealed that 75% of the victims and killers had already been arraigned in court at least once; almost half had been on probation; three-quarters were associated with gangs.

ruling that a gathering of three or more people can constitute a gang.

With few exceptions, the kids in Boston doing the killing and the kids getting killed are no strangers to the criminal justice system. In fact, a study by Harvard University's School of Government revealed that 75% of the victims and killers had already been arraigned in court at least once; almost half had been on probation; three-quarters were associated with gangs.

Between 1988 and 1989, probation officer Bill Stewart saw his caseload reduced by 16—all of them murdered. "I got tired of burying my kids," he said. "I mean, man, I've got teenage cases walking around with colostomy bags because they stepped on someone's sneakers wrong."

Stewart recalled the night he tried to comfort one of his dying probationers on the street. He looked at the group that had gathered around the wounded youth and recognized more than a dozen faces. All were on probation and all should have been at home under the terms of their court orders.

The inspiration for Night Light,

now in its fifth year, was born then: Police officers initially were leery of Stewart's suggestion to start joint patrols because probation officers were viewed as the liberal, desk-bound social workers of the justice system. But skepticism faded quickly. Atty. Gen. Janet Reno has called Boston a model city in making streets safer. President Clinton chose Boston in February as the site to announce a \$435-million campaign against juvenile crime. More than 60 cities and states have contacted Boston to discuss its strategy in dealing with youth violence.

Boston's strategy may not be applicable everywhere, criminologists say, particularly in sprawling, diverse cities like Los Angeles, where gangs are far larger and most structured. Boston has only about 1,300 hard-core gang members (gangs are responsible for 60% of the city's homicides), and has been spared the presence of such groups as the Bloods and the Crips.

"I'm not one who thinks we have all the answers by any means," said Suffolk County Dist. Atty. Ralph Martin, whose office handles 50,000 criminal cases a year. "But if we're able to disrupt a beef between two gangs so they decide to go their separate ways, if we're able to keep a kid from violating probation so that he stays home, then perhaps a shot doesn't get fired, perhaps someone doesn't get killed."

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stream of natural gas.

At 12:07 A.M., an operator at Texas Eastern's compressor station in Lambertville, N.J., called the company headquarters in Houston to report low pressure in the pipeline.

"My God," the operator said, according to the safety board's report, "I can see a fireball in the sky toward Linden."

The Texas Eastern operator then dispatched an emergency team to the site of the fireball, but the gas continued to flow because the company had no way to shut off the gas remotely. The gigantic fireball continued to burn as gas workers, attempting to reach a manual shut-off valve, had to negotiate heavy traffic caused by people fleeing the explosion. The team finally reached the shut-off valve about five miles from the explosion. They shut off the flow of gas at 2:25 A.M., about two and one-half hours after the explosion.

The apartment buildings destroyed in the fire have since been rebuilt and are once again occupied.

Texas Eastern has also tightened its security procedures, increasing the frequency of aerial and ground patrols and adding 68 remote-controlled valves to pipelines in New York, New Jersey and Pennsylvania. The company plans to install 25 more valves by the end of this year, said John Barnett, a spokesman for Texas Eastern.

Mayor George A. Spadaro of Edison, who recalls watching fire engines melt from the heat of the blaze, said the town "ducked a bullet" that night.

"The fact that we had no substantial loss of life was a miracle," he said. "If it had happened 900 feet down the line, it would have been an instantaneous incineration. People would have been trapped."

The Aftermath

Trade Groups Cite Regulatory Costs

The safety board tracks how often nine transportation agencies, ranging from the Federal Aviation Administration to the Coast Guard, follow its recommendations. Of those agencies, safety board records show, the Office of Pipeline Safety ranks second lowest, after the Coast Guard.

But industry groups say the safety board often makes recommendations that are impractical and do little to increase actual safety. In fact, trade groups say industrial standards and guidelines, which are used in construction and mainte-

nance of pipelines, already meet the goals the safety board wants regulators to adopt.

"The pipeline companies use practices that are above and beyond what the regulations require," said Terry Boss, a vice president of the Interstate Natural Gas Association of America. He said that companies typically spend twice as much on safety programs as Federal regulations require.

One of industry's most common complaints is that regulatory standards often do not keep pace with technology. Mr. Boss said, for example, that companies use measures that provide greater safety than Federal requirements in areas like pipeline toughness and damage prevention.

Mr. Boss said the safety board recommendations do not reflect what is practical or feasible for pipeline companies. Pipeline regulators, on the other hand, try to balance safety requirements with business's ability to carry them out, he said.

"N.T.S.B. has the goal to be a safety agency with no idea of cost-benefit," Mr. Boss said. "They essentially thrive on controversy on these sorts of things."

The Responses

Congress Rejects A Strict Safety Bill

During Congressional hearings on the Edison explosion in 1994, Senator Bill Bradley, Democrat of New Jersey, said: "The Edison accident should never have happened. We need to acknowledge Edison for what it is: a breakdown in the regulatory and safety program."

The Congressional hearings produced a bill adopting the recommendations made by the safety board, including remote shut-off valves for urban areas and more stringent inspection of pipelines.

"What we tried to do was respond to what we saw as the weakness of the situation and try to establish a framework that would provide serious safety requirements," said Senator Frank R. Lautenberg, Democrat of New Jersey, one of the bill's sponsors.

Representative Frank Pallone Jr., a New Jersey Democrat who was a primary sponsor of the legislation, said the bill was not introduced until the end of the session in 1994. He said the sponsors expected to take the matter up at the beginning of the 1995 session, but the big Republican victory in Congress changed the course of the legislation.

"The new majority came in with the 'Contract with America' ideology, which is no more regulation, get government out of our lives," Mr. Pallone said. "The pipeline safety act became the first victim of this new philosophy."

Mr. Pallone said the longer the bill languished in committee, the less chance it had of eventual passage.

"Historically, both Congress and the agency are disaster oriented," Mr. Pallone said. "After a few months or a few years, the incentive becomes less, and the industry keeps saying these things are not necessary, and we do not want to be placed under these restrictions."

The 1994 bill did not pass, but in 1996, Congress approved the Accountable Pipeline Safety and Partnership Act. It contained fewer of the measures recommended by the safety board. The sponsors of the new law argued that it allowed industry greater flexibility in working with the regulations.

The law, which was opposed by environmentalists, requires that regulators perform a cost-benefit analysis before enacting any new regulations. Mr. Pallone and environmental groups contended that this presents an obstacle to any new regulation by making it subject to costly legal appeals. Supporters say the cost-benefit analysis is nothing more than the typical procedure used by regulators for years, and argue that it forces the Government to adopt practical regulations.

While Mr. Pallone and several other Congressmen said the law would do little to increase public safety, others said it contained several positive steps, including increased financing for pipeline regulators and provisions to protect pipelines from outside damage.

"There are several provisions that I support and that can help, and will help to improve the public safety," Senator Lautenberg said during a floor debate. "At the same time, however, in my view, the legislation should go farther."

Senator Trent Lott, Republican of Mississippi, the sponsor of the 1996 law, declined to comment. But during debate over the legislation, Senator Lott said the other proposals would "add unnecessary layers of regulations in direct response to specific atypical incidents."

On the other hand, the Senator said, the 1996 law gives more responsibility to pipeline operators, who "have a direct and compelling reason to work hard to keep their systems and the public safe."

"There will always be some who will argue that the Government must spend more and more money for safety concerns," Senator Lott said. "My response is that safety is not just a function of how much the Government spends. I believe the critical factor is how the money is spent, not how much."

CP