

NLWJC- Kagan

Counsel - Box 006 - Folder 001

Debate Prep

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. talking points	Phone No. (Partial) (1 page)	10/04/1996	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Counsel's Office  
Elena Kagan  
OA/Box Number: 8248

### FOLDER TITLE:

Debate Prep

2009-1006-F

bm9

### RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

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## DEBATE TALKING POINTS: GAY AND LESBIAN ISSUES

Prepared by: Richard Socarides

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P6/(b)(6)

[001]

pager: 1-800-sky-gram (pin #) 888-9833

Note: It is appropriate to use the phrase "sexual orientation" but **not** "sexual preference", which later phrase implies one's ability to choose to be gay or straight.

### SAME-SEX MARRIAGE

[Note: The same-sex marriage law has **two provisions**: one permits states not to recognize same-sex marriages preformed in other states and the other provides that no federal benefits be given to same-sex married couples, even if their marriage is recognized in the state in which they reside. Thus, you should not say: "all the same-sex marriage bill does is allow states to decide for themselves whether to recognize same-sex marriages."]

Q. Many of your gay supporters have been angered by your support of the anti-gay marriage law. What do you say to them?

A. In 1992 I stated my opposition to same-sex marriage and recently, as the issue was raised by some in Congress, I said that if a bill consistent with my previously stated position reached my desk, I would sign it. I also believe that raising this issue now is divisive and unnecessary, and is calculated only to score political points at the expense of others. I believe that it is an attempt to divert the American people from the urgent need to confront our challenges together.

Q. You have said you oppose discrimination against gay and lesbian Americans, yet you signed legislation which would deny federal benefits to same-sex partners, even if they can be legally married where they reside. Isn't that a form of discrimination?

A. No, I don't think so and let me explain why. First, I have long stated my personal belief against governmental recognition of same-sex marriage. Having said that, I don't believe we in America have a person to waste. Our country is bigger than that. I believe that all Americans -- gay or straight -- who are willing to work hard, pay their taxes, play by the rules, obey the law and be good citizens -- should be treated fairly and have equal opportunities to prosper. No other president has taken more steps to bring gays and lesbians to the table. And despite my personal feelings about same-sex marriage, I don't think we as Americans should discriminate against anyone.

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Q. You have said you have long opposed same-sex marriage. What is that opposition based on? Is it a religious belief and if so, why should the government be prohibited from sanctioning same-sex marriage so long as the church doesn't have to?

A. It's a personal belief based on my collective life experience. This has been my longstanding position. I also believe that some have used this issues to try to divide us as Americans. And I will do everything in my power to try to prevent that. [DON'T go any further. The more you say, the more trouble it will cause. Everything you say will be picked apart. Stay as general as possible and avoid use of the words "traditional" or "traditional family" and don't talk about marriage as the vehicle by which people have children. Gay people also have children.]

### **EMPLOYMENT DISCRIMINATION AGAINST GAYS**

Q. You have supported and vigorously advocated for legislation which would force employers -- including local school systems -- to hire gays and lesbians. Your opponents say that this is just another part of your liberal social agenda that is out of touch with mainstream America. What do you say to that?

A. Discrimination in employment on the basis of sexual orientation is currently legal in 41 states. Men and women in those states may be fired from their jobs solely because of their sexual orientation, even when it has no bearing on their job performance. Those who face this kind of job discrimination have no legal recourse, in either our state or federal courts. This is wrong.

Individuals should not be denied a job on the basis of something that has no relationship to their ability to perform their work. The Act I support, however, is careful to apply some exemptions in certain areas. It provides an exemption for small businesses, the Armed Forces, and religious organizations, including schools and other educational institutions that are substantially controlled or supported by religious organizations. This provision, which I believe is essential, respects the deeply held religious beliefs of many Americans. Moreover, the bill specifically prohibits preferential treatment on the basis of sexual orientation, including quotas. It also does not require employers to provide special benefits.

The bill answers all the legitimate objections previously raised against it, while ensuring that Americans, regardless of their sexual orientation, can find and keep their jobs based on their ability and the quality of their work.

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### **ADOPTION ISSUES**

Q. Governor Pete Wilson of California has recently proposed legislation which would prohibit unmarried couples from adopting. Gays believe that this is aimed at them. What is your view of this legislation and of adoption by gays?

A. I believe that issues relating to adoption have always been and are best resolved at the state and local level. The most important thing is that children find themselves in loving, healthy and safe environments. State and local officials -- state court judges, medical experts and social workers on the scene who have interviewed the child and all other relevant parties -- are best equipped to make sure that the best interests of the child in each particular situation are being served. That interest, not the interest of others, is paramount.

Q. Would you support or oppose legislation which would prohibit adoptions by gays?

A. The question misses the point. I believe that this is an issue best resolved at the state and local level and that the standard which ought to be applied in all cases is what is in the child's best interest. That standard could result in adoptions being granted or denied to a gay or straight person or couple. But it is a determination which must be made in each individual case by the professionals on the scene.

### **GAYS IN THE MILITARY**

[Note: 1. DO NOT talk about service members right to privacy in answering questions on gays in the military. This is insulting and demeaning to gay people. 2. Don't say that you have been "pilloried" for standing up for gays. 3. Remember that more gays have been discharged from the military under the "don't ask, don't tell" policy than under the old policy. Allegations of "witch hunts" are rampant -- so much so that Secretary Perry has asked the DOD Inspector General to conduct a formal investigation. Moreover, at least one federal court has ruled the policy unconstitutional. Thus, the policy is not generally viewed as a success.]

Q. People still debate what happened with the gays in the military issue. Given a second term, would you revisit this topic? Is there a chance you might issue the executive order changing the policy again?

A. Few issues in recent times have spurred the kind of debate that occurred over our nation's policy toward gays in the military. I know that this is a sensitive and emotional issue for many people. And, as you know, many of these issues are being actively litigated in the federal courts. I think it's best to let those cases run their course and see what the results.

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Q. If you had the chance to start over, only this time knowing the extent of the opposition to opening the military's doors to gays and lesbians, how would you approach the issue? What lessons did you learn from this?

A. It's fair to say that I have thought a lot about this and that there are some things I think I should have done differently. I now believe that we needed to build a broader consensus on this important issue before moving forward. Sometimes change comes best when it is achieved through incremental steps.

### ANTI-GAY BALLOT INITIATIVES (COLORADO AMENDMENT TWO)

A. The Supreme Court's decision overturning Colorado's Amendment Two was hailed by gay rights activists, yet your Justice Department was criticized for not talking a position in the case. What is your position?

Q. I think the Supreme Court's decision was appropriate. I have continually stated my belief that those who would legalize discrimination on the basis of sexual orientation or any other grounds for that matter are gravely mistaken about the values that make our nation strong. The Justice Department stayed out of the case because the Attorney General made a legal decision that she believed was appropriate. But I know that she also believes that the result reached by the Court was the right one.

### GAY LIAISON

Q. You are the first President to appoint an official liaison to the gay and lesbian community. Do you think this is an appropriate use of taxpayer dollars?

A. First, the two people who have had that responsibility over the last year or so have also had other responsibilities simultaneously, so it's not like we have had someone doing this full time. Moreover, historically, the White House has had an office of Public Liaison which has worked with all sorts of groups -- business leaders, police officers, people of color and other minority groups, the disabled -- this was the case under both President Bush and Reagan. Viewed in that factually accurate context, I think what we have done is completely appropriate.

## JUDGES

**Opening Line:** My appointees are the best group of judges appointed in modern times. But don't take my word for it -- ask the American Bar Association, which gave them the highest ratings of any president's. Ask the legal scholars who studied thousands of cases and said my appointees were closer on criminal law decisions to Nixon's and Reagan's than to Carter's. That's why liberal groups were attacking my choices long before Senator Dole ever thought to. And that's presumably why Senator Dole voted for 184 out of 187 of my appointees confirmed by the Senate while he was up there.

### **I. Key Answer Points**

- Every impartial observer has concluded that my appointees to the federal bench are well-qualified, mainstream lawyers. My opponent calls them liberals, but they have been compared more often to judges appointed by Republican presidents than to those named by my Democratic predecessor. Almost 40% of the men and women I have put on the bench have served as federal or state prosecutors.
- The American Bar Association has given over two-thirds of my judges its highest rating. And at the very same time that my people have earned the highest ratings, they are also the most diverse group ever named to the federal bench -- more women, more African-Americans, more Hispanics than ever before in our history.
- All but three of my lower court appointees have been approved unanimously by the Senate, and my two Supreme Court appointees were approved overwhelmingly. When did Senator Dole and my other Republican critics decide that these judges, whom they voted for, were a threat to our country? When it looked like it might make a good campaign issue?
- My appointees have upheld the death penalty against constitutional challenges while Republican appointees have struck down the Brady Bill, the Gun Free Schools Act, the Violence Against Women Act and the Child Support Act because these laws, enacted by the Congress at my urging, don't meet their ideological litmus tests. Is that what strict construction from Dole judges will get us?
- The fact is that Senator Dole and other Republicans are using this phony judges issue as a smokecreen to cover up their terrible record on crime. They want to get well with the police men and women who overwhelmingly reject their opposition to crime legislation and their support for free access to guns. So they concoct an image of my judicial appointees that has been rejected by every impartial observer who has studied them.

**II. Dole Contrast :** Senator Dole says he will "appoint federal judges who know how to read and respect the Constitution as it is written, and don't search to find rationalizations for their liberal agenda in so-called 'emanations' and 'penumbras.'" He says, "When I am president, only conservative judges need apply." He says that liberal Clinton judges are one of the "root causes"

of crime.

- So long as I am president, the message will be the same as it has been for the first four years -- "Only the best judges need apply."
- Senator Dole's hidden agenda is clear -- to turn the clock back, to return to the days when the standard for appointment as a federal judge wasn't ability, it was ideological purity. When you were qualified for the federal bench only if you wanted to deny a woman's right to choose, to give polluters free rein to wreck the environment, to push back the tide of equality between the races and between men and women.
- The fact that Senator Dole says judges are one of the "root causes" of crime shows just how out of touch he is. Criminals are the root cause of crime, and my Administration put together the strongest package of anti-criminal measures this country has ever seen over the single-minded opposition of Senator Dole, Speaker Gingrich and the Congressional Republicans. The fact that criminals can own handguns and that assault weapons are freely available to our children are the root causes of crime, and my Administration has stood with the police and against Senator Dole, Speaker Gingrich and the Washington gun lobby on the Brady Bill and the assault weapons ban.

### **III. Likely Dole Attacks and Responses**

**Attack:** You all have heard about Judge Baer -- the judge in New York who let a drug runner go free and said there was nothing wrong with running from the police. That's typical of what a Clinton-dominated judiciary would do.

**Response:** First of all, I criticized Judge Baer's decision, and I took a lot of heat for doing so. And I directed the U.S. Attorney, whom I appointed and who brought the case in the first place, to appeal his decision immediately -- which is what got the drug runner behind bars, not all of the yelling by Senator Dole and Speaker Gingrich.

But more importantly, every lawyer and every journalist who has studied all of my appointees' decisions, not just the handful that have received publicity, has reached the conclusion that my judges are moderate, mainstream judges, whose criminal law decisions most resemble the decisions of judges appointed by President Nixon and President Reagan. If you want to look at isolated cases, you can find plenty of Republican judges -- including those sponsored by Senator Dole -- who have let criminals go free and done other things that everyone, including me, would disagree with. But look at all the cases and you determine that my appointees are in the mainstream.

## LEGAL REFORM

**Opening line:** I've long supported reforms of our legal system. But as President, I've insisted that those reforms help American families -- and I'm proud to have vetoed two so-called legal reform bills that sacrificed the health, safety, and financial security of ordinary Americans.

### I. Key Answer Points

- As anyone knows who has had contact with it, our legal system is too expensive and time-consuming, and it tolerates too many frivolous lawsuits. We must make the system work more fairly at less cost. I've tried to work with Congress to address these issues.
- But we have to make sure that in reforming our legal system, we don't harm American families. When a company makes a defective product that causes injury or death -- say, a tractor, a car, or a toy -- a family has a right to recover its losses. Likewise, when a company makes a fraudulent financial claim that deprives a family of its savings, there should be a right of recovery.
- We need a fair balance -- legislation that will put an end to litigation abuse at the same time as it will protect the legitimate rights of ordinary consumers and investors.
- I've signed one such bill, and I'm proud of it. In 1994, I approved legislation to limit the liability of aircraft manufacturers in what I thought was a reasonable and prudent way. That legislation will help not just the manufacturers, but all of us who use their products.
- But I'm just as proud that I refused to sign a product liability bill that would have endangered the health and safety of the American public by limiting the ability of courts to provide full relief to innocent victims of harmful products. That bill was unfair
  - because it arbitrarily capped punitive damages, which are paid by companies that have purposely made or sold harmful products; and
  - because it would have prevented some victims from recovering noneconomic damages -- such as pain and suffering -- which are especially important to senior citizens, women, children, and others without a large income; and
  - because it included a host of legalisms and loopholes that would have prevented meritorious claims from being brought at all -- for example, where the product causing injury was more than 15 years old, even though the lifespan of the product is supposed to be longer.
- And I'm just as proud that I vetoed a securities reform bill, even though that bill eventually became law. There are lots of good provisions in that bill -- provisions meant to end frivolous lawsuits and ensure that investors receive the best possible information. But other parts of the bill -- in particular, the standards for pleading fraud -- may wrongly

close the courthouse doors to investors who have been cheated by dishonest brokers.

- I'm committed to achieving thoughtful and balanced reforms to our nation's legal system. That has meant, in my first term, standing in the way of congressional overreaching. I hope it will mean, in another term, signing legislation that will help all Americans, including ordinary consumers and investors.

## **II. Dole Contrast**

- Senator Dole supported the bills I vetoed. And his economic plan advocates taking the most offensive provisions in the products liability bill -- including the cap on punitive damages and the limitations on noneconomic damages -- and applying them not just to suits involving defective products, but to all kinds of civil cases.
- His proposals will harm American families and reward those who profit from their misfortune. The Product Liability bill alone would have prevented many innocent victims from recovering their losses and undermined the health, safety, and security of the public. His proposal would go even further in that direction, hurting for example individuals harmed by negligent doctors or those who have suffered from sexual harassment or racial discrimination..

## **III. Likely Dole Attacks and Responses**

**Attack:** President Clinton is the trial lawyers' candidate. He has taken millions of dollars in campaign contributions from the trial lawyers. And as a consequence he has put the lawyers ahead of consumers, workers, and large and small businesses -- most recently by vetoing product liability and security litigation reform.

**Response:** The product liability bill I vetoed was opposed by every major senior citizen and consumer group. It was opposed by state legislators and judges, by the American Cancer Society, the Heart Association, the Lung Association, Mothers Against Drunk Driving and Sarah Brady's group, Handgun Control. These are mainstream groups. They opposed the bill for the same reason I did: not to help lawyers, but to protect injured Americans. We don't need to ignore the legitimate problems of ordinary people in order to get rid of frivolous suits and excess legal expenses. That's what this bill did, and that's why I opposed it.

**Attack:** Even the chair of Bill Clinton's own party -- along with numerous other Democrats -- strongly supported the securities bill that Bill Clinton vetoed. The President will look for any excuse to kill legislation reforming the legal system.

**Response:** I wanted a good securities bill, and I almost got it. There are many fine provisions in the bill that will help investors. Indeed I said last month that I'll work to protect those provisions against state action designed to override them. But at the last minute Congress snuck in a change that threatens to deprive defrauded investors of their ability to recover losses. I did differ from some members of my party on that provision. I'd do so again if the bill came to me tomorrow.

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Tack -

Attached <sup>are</sup> ~~is~~ The final versions of The debate prep materials for which I was responsible. I believe Peter is dealing with the one on judges.

Blue edits are mine; red edits are Todd's. Edits from Vicki and The speechwriters are typed in. But all of The <sup>edit</sup> ~~edit~~ materials together don't amount to much. There are very much the same as the ones I gave you last week.

Vicki wanted to give you the opportunity for a final sign-off. Let me know if they're all OK <sup>or</sup> ~~or~~ if you wish to change anything.

Elena

P.S. These are my only copies.

but says she needs everything done by tomorrow morning

## **POLITICAL REFORM**

**Opening line:** When I entered office, I promised to end business as usual in Washington -- to take power from the special interests and give it back to the American people. We've made great strides: lobbyists must now disclose who they represent; Congress must live by the laws of the land; and Presidents soon will have the line-item veto to eliminate wasteful spending. We've also enabled millions of people to participate in our democracy by making it easier to register. But we still have work to do; most important, we must pass real bipartisan campaign reform.

### **Key answer points:**

- I've worked hard to make democracy work better for America, by limiting the influence of moneyed interests and expanding the influence of the American people.
- I fought for and signed into law the Lobbying Disclosure Act, the first major reform of lobbying rules in 50 years, which requires lobbyists to disclose who they work for. The public has a right to know when special interests are trying to influence elected officials; this law protects that right.
- I've also limited lobbying in other ways. I led the fight to repeal the tax loophole that let lobbyists deduct the cost of their activities. And I imposed the toughest Administration ethics code in history, which prevents senior officials from lobbying their former agencies for five years and prohibits them from ever lobbying for foreign governments.
- At the same time, I've helped make sure that Congress is more responsive to the people and less to the special interests. In 1995, after a Republican filibuster, Congress finally answered my call to stop taking gifts, meals, and trips from lobbyists. And I signed the law that forces Congress to apply to itself the laws it applies to the rest of the country.
- Perhaps most important, I fought for line item veto legislation that will allow future Presidents to cancel wasteful spending and tax breaks that benefit special interests. This tool will help ensure that public resources are put to the best use possible.
- And through the Motor-Voter Act, we've put more than 11 million new Americans on the voting rolls -- the greatest expansion in voter registration since the 19th century. [1960s?]
- But we have more to do. We must pass bipartisan campaign finance reform that will give free broadcast time, limit campaign spending, curb contributions from political action committees, and end the "soft money" system that now allows candidates, parties, and big-money contributors to evade the rules. Only this kind of reform will take the reins of democracy away from big money and put them back in the hands of the American people.

## **II. Dole Contrast**

[Need record from campaign]

### **III. Likely Dole Attacks and Responses**

**Attack:** You and Speaker Gingrich agreed, with a much publicized handshake, to create a bipartisan commission on campaign finance. But nothing ever happened. Given this record of inaction, why should anyone believe your promises to reform campaign finance?

**Response:** I wrote to the Speaker just after that handshake with a specific proposal to create a commission. He ignored that proposal. In addition, I asked two outstanding Americans, Doris Kearns Goodwin and John Gardner, to serve as my appointees to the commission. Still the Speaker was silent. I've been ready from the date of that handshake to create a commission. But in the absence of any action from the Speaker, I tried to find another solution, and I endorsed the first bipartisan campaign reform bill in a generation. It's a good bill, and I'll fight for its passage.

**Attack:** The Republican Congress is responsible for the Line-Item Veto, the Congressional Accountability Act, and the Lobbying Disclosure Act. You and a Democratic Congress had two years to pass those bills and did nothing.

**Response:** I fought for passage of those measures throughout my Presidency, and they wouldn't be the law if I hadn't done so and if I hadn't sign them. And let me say that we would have passed some of those bills during my first two years in office except for the delaying tactics of members of his party. I give the Republican Congress credit for sending these important bills to me, but all of these measures were done on a bipartisan basis and all had democratic sponsors.

**Attack:** You've accepted PAC money for your campaign and your legal defense fund and you've raised a large war chest of soft money for the Democratic National Committee. Isn't it the sheerest hypocrisy when you say you'll change business as usual in Washington?

**Response:** The record shows that we're changing business as usual: I've signed into law lobby reform, the line-item veto, and motor-voter registration; we've made Congress live by the laws and imposed the strictest ethics requirements ever on Administration officials. Of course we need to do more: we must pass campaign finance reform that will put limits on campaign spending and the soft-money system. But I'm not going to apologize for playing by the existing rules in the meantime -- when everyone else, including my opponent, is taking advantage of them. What I've promised to do is try to change those rules, so no race in the future is governed by them. The Senator, unfortunately, hasn't made that promise.

**Attack:** The President doesn't support real political reform because he doesn't support the most important reform of all: term limits.

**Response:** The supporters of term-limits have the right goals, but term-limits won't solve the problems of our political system. All term limits do is deprive citizens of their ability to choose the representatives they want. What we need to do is to get the special interests out of politics and give the American people more choices and more influence over their government. The right way to do that is to pass bipartisan campaign finance reform.

## CIVIL RIGHTS

**Opening line:** This nation is moving ever closer to fulfilling its promise of equal opportunity for all Americans. But we know there is still more we can do to ensure that every person who is willing to work hard can build a strong future. We must renew our efforts to stamp out hatred and discrimination of every kind; we must vigorously enforce civil rights law; we must mend, not end, affirmative action. That's just what my Administration has done in the past four years.

### **I. Key Answer Points:**

- We have come far in building a society where each person is judged by character and ability and not by such things as race, religion, or gender. But we have not yet achieved our goal. Discrimination remains a daily fact of life for too many Americans. Sheer hatred continues to exist; just think of the recent wave of church-burnings that has targeted the African-American community. We must continue to fight against these outrages, as steadily and relentlessly as we can do -- to make sure that the promise of America is kept for all our people.
- That is why my Administration has aggressively enforced the civil rights laws, whether that means making a bank give the same loans to African-American customers as to any others; or defending a voting plan that's designed to give Latinos an equal voice in our political system; or telling a military academy or other school that it can't exclude women any longer; or preventing an employer from discriminating against a disabled person when that person is fully capable of doing the job.
- That's also why we responded with as much strength as possible to the wave of church-burning directed at the African-American community. We established a special task force to help local communities catch and prosecute those responsible, prevent further arsons, and rebuild their churches. And then we got legislation toughening criminal penalties for those convicted of church-burnings and giving loan guarantees to churches and other non-profit groups victimized by arson.
- That's why I remain committed to an Administration that looks like America -- because I know that the best people for a job come in all colors, both sexes, every imaginable religion. My judicial appointments are both more diverse and more qualified than those of any prior Administration.
- And that's why I've led the way to reform and improve affirmative action so that it truly works -- so that it promotes real opportunity but doesn't hold others back in the process. Affirmative action, done right, is an effective and important tool in expanding economic and educational opportunity. I've said before: Mend it, don't end it Use it to make sure that historic discrimination -- and continuing prejudice and hatred -- don't unfairly deprive people of their rightful part of this nation's greatness.

## **II. Dole Contrast:**

- [Check for accuracy] Senator Dole's record in this area is confusing and inconsistent. [He has supported some major civil rights legislation, such as the Americans With Disabilities Act, but he has opposed other similar legislation, such as \_\_\_\_ [??]. Even more striking, he has long been a strong supporter of affirmative action, going all the way back to the Nixon Administration -- but today he's telling the American people that he believes affirmative action should be ended.
- I believe we need consistency in this area. I believe all of us need to stand up for what's right and to work steadily and relentlessly to achieve it. This is no place for hedging; this is no place for flip-flopping. If I'm proud of anything in my public life, it's that I've always worked to stamp out discrimination and to promote genuine equality -- regardless of whether those efforts were popular among voters at the time.

## **III. Likely Dole Attacks and Responses:**

**Attack:** The whole premise of affirmative action -- that preferences should be given to members of minority groups, regardless whether they have experienced any discrimination -- is rotten to the core. Tinkering with the system isn't enough. It's time to insist that government be color-blind when it awards contracts, admits students into schools, or distributes other benefits.

**Response:** I believe there is still a need for affirmative action done right -- in order to get us to a truly color-blind society. We're not there yet, and to end affirmative action while it still has a job to do -- while it's still needed to ensure real equality of opportunity -- would be a great mistake. But we should not -- and I will not -- tolerate quotas or reverse discrimination of preferences for unqualified individuals. And affirmative action should not go on forever. The whole point of using affirmative action now is to reach the day when we can retire it, knowing that we have ensured economic and educational opportunity for every person in this country.

**Attack:** You've opposed English-only legislation currently pending in Congress. But in the absence of such legislation, we risk the balkanization of our country.

**Response:** I believe everyone in America should learn English, so that everyone living here can share fully in our national community. And I believe that government has an important role in making sure this happens. But I also believe that the English-only legislation proposed in Congress, which would broadly prohibit the government from using any language other than English, is wrong-headed, mean-spirited, and divisive. It would prevent the government from offering immigrants the kind of services -- relating, say, to housing or health care -- that assist their integration into the mainstream of American society. It would increase intolerance and discrimination against people who haven't yet succeeded in their struggle to learn English. And finally, I should not a very important concern -- that it would hamper law enforcement efforts significantly.

## **ABORTION**

**Opening line:** I believe that abortion should be rare, but that it also should be safe and legal. Any decision about abortion should be between a woman, her doctor, and her conscience.

### **I. Key Answer Points:**

- I've worked hard to ensure that abortion becomes rare, by focusing on the prevention of teen pregnancy and by encouraging adoption, through a tax credit and other measures. The abortion rate is dropping today, and all of us must do all we can to make sure it continues to do so.
- But I've also insisted that abortion be safe and legal. I believe that in most circumstances, each individual -- not the government -- should make, and take responsibility for, this most difficult and intensely personal decision. I agree with the Supreme Court that placing this decision in the hands of the woman involved is a fundamental aspect of our constitutional system.
- That is why I ended the Bush Administration's gag rule, which prevented women using federally funded clinics from getting the information they needed to make informed reproductive decisions.
- It's why I proposed and signed legislation that ensures safety at women's health clinics, preventing violence and intimidation against women and their doctors.
- It's why I allowed states to use Medicaid funds to provide abortion services for poor women who are the victims of rape and incest, as well as those whose life is endangered.
- And it's why I nominated two Supreme Court Justices who support the constitutional right to privacy.
- I do not believe the right to reproductive choice is unlimited. I have long opposed late-term abortions except where necessary to protect the life or the serious health interests of the mother. And I have long supported parental notification requirements. But usually women themselves are best placed to consider and weigh reproductive alternatives, and I believe we should trust them to do so.

### **II. Dole Contrast**

- My opponent and his party favor a constitutional amendment to prohibit women from having an abortion, [even in cases where the woman is the victim of rape or incest.]
- I strongly oppose such an amendment, which by forcing every state to forbid every abortion would take this serious and intensely personal decision away from the women affected and place it in the hands of the government. The Constitution should, as it today

does, protect-- not deny -- the right of a woman to make this decision, in consultation with her family and doctor and in accordance with her own faith and conscience.

### **III. Likely Dole Attacks and Responses**

**Attack:** President Clinton believes in abortion on demand. The proof is that he vetoed a bill prohibiting partial-birth abortion, which is a procedure that amounts to infanticide.

#### **Response:**

- I vetoed HR 1833 for one reason: because it failed to include an exemption permitting the use of this procedure in those rare cases where a physician says its use is necessary to protect a woman from serious risk to her health. I could not sign a bill that would have abandoned women facing such serious health risks.
- The procedure described in the bill troubles me deeply and I do not support its use on an elective basis. I told Congress that I would willingly sign the bill if an exemption were added for those rare circumstances where the procedure is the best hope of preventing grave harm, including the ability to have children in the future. But Congress refused to amend the bill in this way.
- These are tough and tragic cases. Criminalizing the use of this procedure when a woman's doctor believes it is her best chance to avoid serious injury is no answer. And politicizing the debate serves no one. I stand for a common sense solution on this issue and I am willing to work with Congress to achieve it.

**Attack:** President Clinton says he wants abortion to be legal and rare. He's done everything he can to make it legal, but nothing to make it rare.

#### **Response:**

- That is just not true. I have made the prevention of teen pregnancy a priority for this Administration, and for the first time in years, the teen pregnancy rate has leveled off and even begun to drop. I have expanded support for community-based prevention programs that teach abstinence and demand responsibility. I have called for strict enforcement of statutory rape laws against men preying on underage women, who cause almost half of teen pregnancies. And because government alone cannot solve this problem, I have challenged community, business, and religious leaders to form a national campaign to keep the teen pregnancy rate going down.
- At the same time, I've encouraged adoption, by signing legislation providing for a tax credit for families who adopt and making it easier to adopt across racial lines. During this Administration, the number of children with special needs who have been adopted with federal assistance has increased by 60%. That's a record I'm proud of.

## **GAY AND LESBIAN RIGHTS**

**Opening line:** I will fight unfair discrimination against any group of Americans, including gay and lesbian individuals. Gays and lesbians are entitled to respect and to inclusion within our national community. And although I long have opposed same-sex marriages -- and will continue to do so -- I believe that harping on this issue is a cynical attempt to score political points and to divert the American people from the crucial challenges we must face together.

### **I. Key Answer Points**

- I've tried throughout my political life to battle discrimination and hatred wherever they exist and in whatever form they take. And that includes discrimination and hatred against the gay and lesbian citizens of this nation. However unpopular it may be, I will stand for equality and acceptance and against the politics of division.
- For this reason, I have given strong support to legislation that would outlaw discrimination on the basis of sexual orientation in the workplace. And I have taken action to ensure that all civilian units of the federal government operate under a no-discrimination policy -- in hiring, in promotion, even in granting security clearances.
- I also have fought discrimination against individuals living with HIV or AIDS, regardless whether gay or straight. I've worked to make sure that the health care system treats these persons fairly and gives them the quality care we all deserve. And I successfully fought the Dornan Amendment, which would have required the immediate expulsion of all HIV-positive military service members, with a consequent loss of medical benefits, regardless to their ability to serve.
- Of course I don't think the government should promote gay and lesbian relationships, and for that reason, I long have opposed governmental recognition of same-sex marriages. I would sign a bill, such as the Defense of Marriage Act, that protects states from having to recognize these marriages and prevents federal funds from going as spousal benefits to partners in gay and lesbian relationships.
- But I think that focusing on this issue as if it's the most pressing one facing America is a calculated attempt to gain political advantage from appeals to fear and prejudice. It diverts attention from the real challenges we face. And it prevents us from coming together, as we must, to meet those challenges successfully.
- It is critical that we, as a nation, resist such divisive tactics -- that we condemn efforts to turn us against each other and instead seek tolerance, inclusion, and equality.

### **II. Dole Contrast**

- Senator Dole opposes legislation that would end discrimination in the workplace against gays and lesbians.

- I believe that all Americans, regardless of their sexual orientation should find and keep jobs based on their ability and the quality of their work. Of course we should recognize exceptions -- for small businesses, religious organizations, the armed services. But the general principle of this legislation is consistent with our nation's historic commitment to ending discrimination and protecting the civil rights of every citizen. I'm proud to support it.

### **III. Likely Dole Attacks and Responses**

**Attack: If President Clinton had had his way, the military would have had to embrace gays and lesbians as service members.**

**Response:** The "don't ask, don't tell" policy I adopted, after listening to many competing viewpoints in the first year of my Administration, ensures a strong, disciplined, and cohesive military at the same time as it treats individuals fairly. My policy says that if you don't engage in homosexual activity and you don't announce a homosexual orientation, then the military will leave you alone. You're not doing any harm, and you should be allowed to serve your country. But the policy also maintains the military's prohibition on homosexual conduct, to protect privacy interests and ensure the most effective fighting unit. Surely that's a policy my opponent should be able to tolerate.

**Attack: President Clinton may say he supports the Defense of Marriage Act, but he also supported Ted Kennedy's efforts to add pro-homosexual amendments to the bill, in order to prevent it from passing.**

**Response:** The only amendment to the bill I supported was the Employment Non-Discrimination Act, which prevents discrimination against gays and lesbians in the workplace. I think it was right to support that legislation, and it was right to add it to the Defense of Marriage Bill. If we're going to pass a bill saying that gays and lesbians shouldn't be given certain legal rights, we should make sure at the same time to give them the rights they, like everyone else, merit.

**Attack: President Clinton is wrong to support a bill mandating identical treatment of gays and lesbians in the workplace. If an employer has religious scruples or just thinks that hiring a gay or lesbian would be bad for business, he shouldn't have to do so.**

**Response:** Senator Dole knows that the Employment Non-Discrimination Act, which I support, grants exceptions for religious organizations and small businesses, and also for the military. But it's just wrong to allow a large company -- or to allow a civilian unit of government -- to fire someone or refuse to hire or promote him because of his sexual orientation. People should be treated at work based on the kind of work they do. And I don't care if that's an unpopular political position.

## **POLITICAL REFORM**

**Opening line:** When I entered office, I promised to end business as usual in Washington -- to take power from the special interests and give it back to the American people. We've made great strides: lobbyists must now disclose who they represent; Congress must live by the laws of the land; and Presidents soon will have the line-item veto to eliminate wasteful spending. We've also enabled millions of people to participate in our democracy by making it easier to register. But we still have work to do; most important, we must pass real bipartisan campaign reform.

### **Key answer points:**

- I've worked hard to make democracy work better for America, by limiting the influence of moneyed interests and expanding the influence of the American people.
- I fought for and signed into law the Lobbying Disclosure Act, the first major reform of lobbying rules in 50 years, which requires lobbyists to disclose who they work for. The public has a right to know when special interests are trying to influence elected officials; this law protects that right.
- I've also limited lobbying in other ways. I led the fight to repeal the tax loophole that let lobbyists deduct the cost of their activities. And I imposed the toughest Administration ethics code in history, which prevents senior officials from lobbying their former agencies for five years and prohibits them from ever lobbying for foreign governments.
- At the same time, I've helped make sure that Congress is more responsive to the people and less to the special interests. In 1995, after a Republican filibuster, Congress finally answered my call to stop taking gifts, meals, and trips from lobbyists. And I signed the law that forces Congress to apply to itself the laws it applies to the rest of the country.
- Perhaps most important, I fought for line item veto legislation that will allow future Presidents to cancel wasteful spending and tax breaks that benefit special interests. This tool will help ensure that public resources are put to the best use possible.
- And through the Motor-Voter Act, we've put more than 11 million new Americans on the voting rolls -- the greatest expansion in voter registration since the 19th century. [1960s?]
- But we have more to do. We must pass bipartisan campaign finance reform that will give free broadcast time, limit campaign spending, curb contributions from political action committees, and end the "soft money" system that now allows candidates, parties, and big-money contributors to evade the rules. Only this kind of reform will take the reins of democracy away from big money and put them back in the hands of the American people.

## **II. Dole Contrast**

[Need record from campaign]

### **III. Likely Dole Attacks and Responses**

**Attack:** You and Speaker Gingrich agreed, with a much publicized handshake, to create a bipartisan commission on campaign finance. But nothing ever happened. Given this record of inaction, why should anyone believe your promises to reform campaign finance?

**Response:** I wrote to the Speaker just after that handshake with a specific proposal to create a commission. He ignored that proposal. In addition, I asked two outstanding Americans, Doris Kearns Goodwin and John Gardner, to serve as my appointees to the commission. Still the Speaker was silent. I've been ready from the date of that handshake to create a commission. But in the absence of any action from the Speaker, I tried to find another solution, and I endorsed the first bipartisan campaign reform bill in a generation. It's a good bill, and I'll fight for its passage.

**Attack:** The Republican Congress is responsible for the Line-Item Veto, the Congressional Accountability Act, and the Lobbying Disclosure Act. You and a Democratic Congress had two years to pass those bills and did nothing.

**Response:** I fought for passage of those measures throughout my Presidency, and they wouldn't be the law if I hadn't done so and if I hadn't sign them. And let me say that we would have passed some of those bills during my first two years in office except for the delaying tactics of members of his party. I give the Republican Congress credit for sending these important bills to me, but all of these measures were done on a bipartisan basis and all had democratic sponsors.

**Attack:** You've accepted PAC money for your campaign and your legal defense fund and you've raised a large war chest of soft money for the Democratic National Committee. Isn't it the sheerest hypocrisy when you say you'll change business as usual in Washington?

**Response:** The record shows that we're changing business as usual: I've signed into law lobby reform, the line-item veto, and motor-voter registration; we've made Congress live by the laws and imposed the strictest ethics requirements ever on Administration officials. Of course we need to do more: we must pass campaign finance reform that will put limits on campaign spending and the soft-money system. But I'm not going to apologize for playing by the existing rules in the meantime -- when everyone else, including my opponent, is taking advantage of them. What I've promised to do is try to change those rules, so no race in the future is governed by them. The Senator, unfortunately, hasn't made that promise.

**Attack:** The President doesn't support real political reform because he doesn't support the most important reform of all: term limits.

**Response:** The supporters of term-limits have the right goals, but term-limits won't solve the problems of our political system. All term limits do is deprive citizens of their ability to choose the representatives they want. What we need to do is to get the special interests out of politics and give the American people more choices and more influence over their government. The right way to do that is to pass bipartisan campaign finance reform.

## CIVIL RIGHTS

**Opening line:** This nation is moving ever closer to fulfilling its promise of equal opportunity for all Americans. But we know there is still more we can do to ensure that every person who is willing to work hard can build a strong future. We must renew our efforts to stamp out hatred and discrimination of every kind; we must vigorously enforce civil rights law; we must mend, not end, affirmative action. That's just what my Administration has done in the past four years.

### I. Key Answer Points:

- We have come far in building a society where each person is judged by character and ability and not by such things as race, religion, or gender. But we have not yet achieved our goal. Discrimination remains a daily fact of life for too many Americans. Sheer hatred continues to exist; just think of the recent wave of church-burnings that has targeted the African-American community. We must continue to fight against these outrages, as steadily and relentlessly as we can do -- to make sure that the promise of America is kept for all our people.
- That is why my Administration has aggressively enforced the civil rights laws, whether that means making a bank give the same loans to African-American customers as to any others; or defending a voting plan that's designed to give Latinos an equal voice in our political system; or telling a military academy or other school that it can't exclude women any longer; or preventing an employer from discriminating against a disabled person when that person is fully capable of doing the job.
- That's also why we responded with as much strength as possible to the wave of church-burning directed at the African-American community. We established a special task force to help local communities catch and prosecute those responsible, prevent further arsons, and rebuild their churches. And then we got legislation toughening criminal penalties for those convicted of church-burnings and giving loan guarantees to churches and other non-profit groups victimized by arson.
- That's why I remain committed to an Administration that looks like America -- because I know that the best people for a job come in all colors, both sexes, every imaginable religion. My judicial appointments are both more diverse and more qualified than those of any prior Administration.
- And that's why I've led the way to reform and improve affirmative action so that it truly works -- so that it promotes real opportunity but doesn't hold others back in the process. Affirmative action, done right, is an effective and important tool in expanding economic and educational opportunity. I've said before: Mend it, don't end it Use it to make sure that historic discrimination -- and continuing prejudice and hatred -- don't unfairly deprive people of their rightful part of this nation's greatness.

## **II. Dole Contrast:**

- [Check for accuracy] Senator Dole's record in this area is confusing and inconsistent. [He has supported some major civil rights legislation, such as the Americans With Disabilities Act, but he has opposed other similar legislation, such as \_\_\_\_ [??]. Even more striking, he has long been a strong supporter of affirmative action, going all the way back to the Nixon Administration -- but today he's telling the American people that he believes affirmative action should be ended.
- I believe we need consistency in this area. I believe all of us need to stand up for what's right and to work steadily and relentlessly to achieve it. This is no place for hedging; this is no place for flip-flopping. If I'm proud of anything in my public life, it's that I've always worked to stamp out discrimination and to promote genuine equality -- regardless of whether those efforts were popular among voters at the time.

## **III. Likely Dole Attacks and Responses:**

**Attack:** The whole premise of affirmative action -- that preferences should be given to members of minority groups, regardless whether they have experienced any discrimination -- is rotten to the core. Tinkering with the system isn't enough. It's time to insist that government be color-blind when it awards contracts, admits students into schools, or distributes other benefits.

**Response:** I believe there is still a need for affirmative action done right -- in order to get us to a truly color-blind society. We're not there yet, and to end affirmative action while it still has a job to do -- while it's still needed to ensure real equality of opportunity -- would be a great mistake. But we should not -- and I will not -- tolerate quotas or reverse discrimination of preferences for unqualified individuals. And affirmative action should not go on forever. The whole point of using affirmative action now is to reach the day when we can retire it, knowing that we have ensured economic and educational opportunity for every person in this country.

**Attack:** You've opposed English-only legislation currently pending in Congress. But in the absence of such legislation, we risk the balkanization of our country.

**Response:** I believe everyone in America should learn English, so that everyone living here can share fully in our national community. And I believe that government has an important role in making sure this happens. But I also believe that the English-only legislation proposed in Congress, which would broadly prohibit the government from using any language other than English, is wrong-headed, mean-spirited, and divisive. It would prevent the government from offering immigrants the kind of services -- relating, say, to housing or health care -- that assist their integration into the mainstream of American society. It would increase intolerance and discrimination against people who haven't yet succeeded in their struggle to learn English. And finally, I should not a very important concern -- that it would hamper law enforcement efforts significantly.

## **POLITICAL REFORM**

**Opening line:** When I entered office, I promised to end business as usual in Washington -- to take power from the special interests and give it back to the American people. We've made great strides: lobbyists must now disclose who they represent; Congress must live by the laws of the land; and Presidents soon will have the line-item veto to eliminate wasteful spending. We've also enabled millions of people to participate in our democracy by making it easier to register. But we still have work to do; most important, we must pass real bipartisan campaign reform.

### **Key answer points:**

- I've worked hard to make democracy work better for America, by limiting the influence of moneyed interests and expanding the influence of the American people.
- I fought for and signed into law the Lobbying Disclosure Act, the first major reform of lobbying rules in 50 years, which requires lobbyists to disclose who they work for. The public has a right to know when special interests are trying to influence elected officials; this law protects that right.
- I've also limited lobbying in other ways. I led the fight to repeal the tax loophole that let lobbyists deduct the cost of their activities. And I imposed the toughest Administration ethics code in history, which prevents senior officials from lobbying their former agencies for five years and prohibits them from ever lobbying for foreign governments.
- At the same time, I've helped make sure that Congress is more responsive to the people and less to the special interests. In 1995, after a Republican filibuster, Congress finally answered my call to stop taking gifts, meals, and trips from lobbyists. And I signed the law that forces Congress to apply to itself the laws it applies to the rest of the country.
- Perhaps most important, I fought for line item veto legislation that will allow future Presidents to cancel wasteful spending and tax breaks that benefit special interests. This tool will help ensure that public resources are put to the best use possible.
- And through the Motor-Voter Act, we've put more than 11 million new Americans on the voting rolls -- the greatest expansion in voter registration since the 19th century. [1960s?]
- But we have more to do. We must pass bipartisan campaign finance reform that will give free broadcast time, limit campaign spending, curb contributions from political action committees, and end the "soft money" system that now allows candidates, parties, and big-money contributors to evade the rules. Only this kind of reform will take the reins of democracy away from big money and put them back in the hands of the American people.

## **II. Dole Contrast**

[Need record from campaign]

### **III. Likely Dole Attacks and Responses**

**Attack: You and Speaker Gingrich agreed, with a much publicized handshake, to create a bipartisan commission on campaign finance. But nothing ever happened. Given this record of inaction, why should anyone believe your promises to reform campaign finance?**

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**Attack: The Republican Congress is responsible for the Line-Item Veto, the Congressional Accountability Act, and the Lobbying Disclosure Act. You and a Democratic Congress had two years to pass those bills and did nothing.**

**Response:** I fought for passage of those measures throughout my Presidency, and they wouldn't be the law if I hadn't done so and if I hadn't sign them. And let me say that we would have passed some of those bills during my first two years in office except for the delaying tactics of members of his party. I give the Republican Congress credit for sending these important bills to me, but all of these measures were done on a bipartisan basis and all had democratic sponsors.

**Attack: You've accepted PAC money for your campaign and your legal defense fund and you've raised a large war chest of soft money for the Democratic National Committee. Isn't it the sheerest hypocrisy when you say you'll change business as usual in Washington?**

**Response:** The record shows that we're changing business as usual: I've signed into law lobby reform, the line-item veto, and motor-voter registration; we've made Congress live by the laws and imposed the strictest ethics requirements ever on Administration officials. Of course we need to do more: we must pass campaign finance reform that will put limits on campaign spending and the soft-money system. But I'm not going to apologize for playing by the existing rules in the meantime -- when everyone else, including my opponent, is taking advantage of them. What I've promised to do is try to change those rules, so no race in the future is governed by them. The Senator, unfortunately, hasn't made that promise.

**Attack: The President doesn't support real political reform because he doesn't support the most important reform of all: term limits.**

**Response:** The supporters of term-limits have the right goals, but term-limits won't solve the problems of our political system. All term limits do is deprive citizens of their ability to choose the representatives they want. What we need to do is to get the special interests out of politics and give the American people more choices and more influence over their government. The right way to do that is to pass bipartisan campaign finance reform.

## **POLITICAL REFORM**

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### **Key answer points:**

- I've taken seriously the responsibility to make democracy work better for America, by limiting the influence of moneyed interests and expanding the influence of the American people.
- I fought for and signed into law the Lobbying Disclosure Act, which in the first major reform of lobbying rules in 50 years, required lobbyists to disclose who they work for. The public has a right to know when special interests are trying to influence elected officials; this law protects that right.
- I've also limited lobbying in other ways. I led the fight to repeal the tax loophole that let lobbyists deduct the cost of their activities. And I imposed the toughest Administration ethics code in history, which prevents senior officials from lobbying their former agencies for five years and prohibits them from ever lobbying for foreign governments.
- At the same time, I've helped make sure that Congress is more responsive to the people and less to the special interests. In 1995, after a Republican filibuster, Congress finally answered my call to stop taking gifts, meals, and trips from lobbyists. And I signed the law that forces Congress to apply to itself the laws it applies to the rest of the country.
- Perhaps most important, I fought for line item veto legislation that will allow future Presidents to cancel wasteful spending projects and targeted tax breaks that benefit special interests. This tool will help ensure that public resources are put to the best use possible.
- And we've put more than 11 million new Americans on the voting rolls by signing into law the Motor-Voter Act. That law already has created the greatest expansion in voter registration since the 19th century. [1960s??? check]
- But we have much more to do. We must enact bipartisan campaign finance reform that will provide free broadcast time, limit campaign spending, curb contributions to candidates from political action committees, and end the "soft money" system that now allows candidates, parties, and big-money contributors to evade all campaign finance rules. Only legislation of this kind will succeed in taking the reins of democracy away

from big money and putting them back in the hands of the American people.

## **II. Dole Contrast**

[Need record from campaign]

## **III. Likely Dole Attacks and Responses**

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**Response:** I fought for passage of those measures throughout my Presidency, and they wouldn't be the law if I hadn't done so and if I hadn't sign them. And let me remind the Senator that we would have passed both the Congressional Accountability Act and the Lobbying Disclosure Act in my first two years in office if it hadn't been for the delaying tactics of a few members of his party. I give the Republican Congress credit for sending these important bills to me, but all of these measures were done on a bipartisan basis and all had democratic sponsors.

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**Attack: The President doesn't support real political reform because he doesn't support the most important reform of all: term limits.**

**Response:** The supporters of term-limits have worthwhile goals, but term-limits just won't solve the problems plaguing our political system. All they do is to deprive citizens of their ability to choose the representatives they want. What we need to do is to get the special interests out of our politics and give the American people more choices and more influence over their government. The right way to do that is to get the special interest money out of campaigns by passing real bipartisan campaign finance reform.

## ABORTION

**Opening line:** I believe that abortion should be rare, but that it also should be safe and legal. Any decision about abortion should be between a woman, her doctor, and her conscience.

### **I. Key Answer Points:**

- I've worked hard to ensure that abortion becomes rare, by focusing on the prevention of teen pregnancy and by encouraging adoption, through a tax credit and other measures. The abortion rate is dropping today, and all of us must do all we can to make sure it continues to do so.
- But I've also insisted that abortion be safe and legal. I believe that in most circumstances, each individual -- not the government -- should make, and take responsibility for, this most difficult and intensely personal decision. I agree with the Supreme Court that placing this decision in the hands of the woman involved is a fundamental aspect of our constitutional system.
- That is why I ended the Bush Administration's gag rule, which prevented women using federally funded clinics from getting the information they needed to make informed reproductive decisions.
- It's why I proposed and signed legislation that ensures safety at women's health clinics, preventing violence and intimidation against women and their doctors.
- It's why I allowed states to use Medicaid funds to provide abortion services for poor women who are the victims of rape and incest, as well as those whose life is endangered.
- And it's why I nominated two Supreme Court Justices who support the constitutional right to privacy.
- I do not believe the right to reproductive choice is unlimited. I have long opposed late-term abortions except where necessary to protect the life or the serious health interests of the mother. And I have long supported parental notification requirements. But usually women themselves are best placed to consider and weigh reproductive alternatives, and I believe we should trust them to do so.

### **II. Dole Contrast**

- My opponent and his party favor a constitutional amendment to prohibit women from having an abortion, [even in cases where the woman is the victim of rape or incest.]
- I strongly oppose such an amendment, which by forcing every state to forbid every abortion would take this serious and intensely personal decision away from the women affected and place it in the hands of the government. The Constitution should, as it today

does, protect-- not deny -- the right of a woman to make this decision, in consultation with her family and doctor and in accordance with her own faith and conscience.

### **III. Likely Dole Attacks and Responses**

**Attack:** President Clinton believes in abortion on demand. The proof is that he vetoed a bill prohibiting partial-birth abortion, which is a procedure that amounts to infanticide.

**Response:**

- I vetoed HR 1833 for one reason: because it failed to include an exemption permitting the use of this procedure in those rare cases where a physician says its use is necessary to protect a woman from serious risk to her health. I could not sign a bill that would have abandoned women facing such serious health risks.
- The procedure described in the bill troubles me deeply and I do not support its use on an elective basis. I told Congress that I would willingly sign the bill if an exemption were added for those rare circumstances where the procedure is the best hope of preventing grave harm, including the ability to have children in the future. But Congress refused to amend the bill in this way.
- These are tough and tragic cases. Criminalizing the use of this procedure when a woman's doctor believes it is her best chance to avoid serious injury is no answer. And politicizing the debate serves no one. I stand for a common sense solution on this issue and I am willing to work with Congress to achieve it.

**Attack:** President Clinton says he wants abortion to be legal and rare. He's done everything he can to make it legal, but nothing to make it rare.

**Response:**

- That is just not true. I have made the prevention of teen pregnancy a priority for this Administration, and for the first time in years, the teen pregnancy rate has leveled off and even begun to drop. I have expanded support for community-based prevention programs that teach abstinence and demand responsibility. I have called for strict enforcement of statutory rape laws against men preying on underage women, who cause almost half of teen pregnancies. And because government alone cannot solve this problem, I have challenged community, business, and religious leaders to form a national campaign to keep the teen pregnancy rate going down.
- At the same time, I've encouraged adoption, by signing legislation providing for a tax credit for families who adopt and making it easier to adopt across racial lines. During this Administration, the number of children with special needs who have been adopted with federal assistance has increased by 60%. That's a record I'm proud of.

## **GAY AND LESBIAN RIGHTS**

**Opening line:** I will fight unfair discrimination against any group of Americans, including gay and lesbian individuals. Gays and lesbians are entitled to respect and to inclusion within our national community. And although I long have opposed same-sex marriages -- and will continue to do so -- I believe that harping on this issue is a cynical attempt to score political points and to divert the American people from the crucial challenges we must face together.

### **I. Key Answer Points**

- I've tried throughout my political life to battle discrimination and hatred wherever they exist and in whatever form they take. And that includes discrimination and hatred against the gay and lesbian citizens of this nation. However unpopular it may be, I will stand for equality and acceptance and against the politics of division.
- For this reason, I have given strong support to legislation that would outlaw discrimination on the basis of sexual orientation in the workplace. And I have taken action to ensure that all civilian units of the federal government operate under a no-discrimination policy -- in hiring, in promotion, even in granting security clearances.
- I also have fought discrimination against individuals living with HIV or AIDS, regardless whether gay or straight. I've worked to make sure that the health care system treats these persons fairly and gives them the quality care we all deserve. And I successfully fought the Dornan Amendment, which would have required the immediate expulsion of all HIV-positive military service members, with a consequent loss of medical benefits, regardless to their ability to serve.
- Of course I don't think the government should promote gay and lesbian relationships, and for that reason, I long have opposed governmental recognition of same-sex marriages. I would sign a bill, such as the Defense of Marriage Act, that protects states from having to recognize these marriages and prevents federal funds from going as spousal benefits to partners in gay and lesbian relationships.
- But I think that focusing on this issue as if it's the most pressing one facing America is a calculated attempt to gain political advantage from appeals to fear and prejudice. It diverts attention from the real challenges we face. And it prevents us from coming together, as we must, to meet those challenges successfully.
- It is critical that we, as a nation, resist such divisive tactics -- that we condemn efforts to turn us against each other and instead seek tolerance, inclusion, and equality.

### **II. Dole Contrast**

- Senator Dole opposes legislation that would end discrimination in the workplace against gays and lesbians.

- I believe that all Americans, regardless of their sexual orientation should find and keep jobs based on their ability and the quality of their work. Of course we should recognize exceptions -- for small businesses, religious organizations, the armed services. But the general principle of this legislation is consistent with our nation's historic commitment to ending discrimination and protecting the civil rights of every citizen. I'm proud to support it.

### **III. Likely Dole Attacks and Responses**

**Attack: If President Clinton had had his way, the military would have had to embrace gays and lesbians as service members.**

**Response:** The "don't ask, don't tell" policy I adopted, after listening to many competing viewpoints in the first year of my Administration, ensures a strong, disciplined, and cohesive military at the same time as it treats individuals fairly. My policy says that if you don't engage in homosexual activity and you don't announce a homosexual orientation, then the military will leave you alone. You're not doing any harm, and you should be allowed to serve your country. But the policy also maintains the military's prohibition on homosexual conduct, to protect privacy interests and ensure the most effective fighting unit. Surely that's a policy my opponent should be able to tolerate.

**Attack: President Clinton may say he supports the Defense of Marriage Act, but he also supported Ted Kennedy's efforts to add pro-homosexual amendments to the bill, in order to prevent it from passing.**

**Response:** The only amendment to the bill I supported was the Employment Non-Discrimination Act, which prevents discrimination against gays and lesbians in the workplace. I think it was right to support that legislation, and it was right to add it to the Defense of Marriage Bill. If we're going to pass a bill saying that gays and lesbians shouldn't be given certain legal rights, we should make sure at the same time to give them the rights they, like everyone else, merit.

**Attack: President Clinton is wrong to support a bill mandating identical treatment of gays and lesbians in the workplace. If an employer has religious scruples or just thinks that hiring a gay or lesbian would be bad for business, he shouldn't have to do so.**

**Response:** Senator Dole knows that the Employment Non-Discrimination Act, which I support, grants exceptions for religious organizations and small businesses, and also for the military. But it's just wrong to allow a large company -- or to allow a civilian unit of government -- to fire someone or refuse to hire or promote him because of his sexual orientation. People should be treated at work based on the kind of work they do. And I don't care if that's an unpopular political position.

## JUDGES

**Opening Line:** My appointees are the best group of judges appointed in modern times. But don't take my word for it -- ask the American Bar Association, which gave them the highest ratings of any president's. Ask the legal scholars who studied thousands of cases and said my appointees were closer on criminal law decisions to Nixon's and Reagan's than to Carter's. That's why liberal groups were attacking my choices long before Senator Dole ever thought to. And that's presumably why Senator Dole voted for 184 out of 187 of my appointees confirmed by the Senate while he was up there.

### I. Key Answer Points

- Every impartial observer has concluded that my appointees to the federal bench are well-qualified, mainstream lawyers. My opponent calls them liberals, but they have been compared more often to judges appointed by Republican presidents than to those named by my Democratic predecessor. Almost 40% of the men and women I have put on the bench have served as federal or state prosecutors.
- The American Bar Association has given over two-thirds of my judges its highest rating. And at the very same time that my people have earned the highest ratings, they are also the most diverse group ever named to the federal bench -- more women, more African-Americans, more Hispanics than ever before in our history.
- All but three of my lower court appointees have been approved unanimously by the Senate, and my two Supreme Court appointees were approved overwhelmingly. When did Senator Dole and my other Republican critics decide that these judges, whom they voted for, were a threat to our country? When it looked like it might make a good campaign issue?
- My appointees have upheld the death penalty against constitutional challenges while Republican appointees have struck down the Brady Bill, the Gun Free Schools Act, the Violence Against Women Act and the Child Support Act because these laws, enacted by the Congress at my urging, don't meet their ideological litmus tests. Is that what strict construction from Dole judges will get us?
- The fact is that Senator Dole and other Republicans are using this phony judges issue as a smokecreen to cover up their terrible record on crime. They want to get well with the police men and women who overwhelmingly reject their opposition to crime legislation and their support for free access to guns. So they concoct an image of my judicial appointees that has been rejected by every impartial observer who has studied them.

**II. Dole Contrast :** Senator Dole says he will "appoint federal judges who know how to read and respect the Constitution as it is written, and don't search to find rationalizations for their liberal agenda in so-called 'emanations' and 'penumbras.'" He says, "When I am president, only conservative judges need apply." He says that liberal Clinton judges are one of the "root causes"

of crime.

- So long as I am president, the message will be the same as it has been for the first four years -- "Only the best judges need apply."
- Senator Dole's hidden agenda is clear -- to turn the clock back, to return to the days when the standard for appointment as a federal judge wasn't ability, it was ideological purity. When you were qualified for the federal bench only if you wanted to deny a woman's right to choose, to give polluters free rein to wreck the environment, to push back the tide of equality between the races and between men and women.
- The fact that Senator Dole says judges are one of the "root causes" of crime shows just how out of touch he is. Criminals are the root cause of crime, and my Administration put together the strongest package of anti-criminal measures this country has ever seen over the single-minded opposition of Senator Dole, Speaker Gingrich and the Congressional Republicans. The fact that criminals can own handguns and that assault weapons are freely available to our children are the root causes of crime, and my Administration has stood with the police and against Senator Dole, Speaker Gingrich and the Washington gun lobby on the Brady Bill and the assault weapons ban.

### **III. Likely Dole Attacks and Responses**

**Attack:** You all have heard about Judge Baer -- the judge in New York who let a drug runner go free and said there was nothing wrong with running from the police. That's typical of what a Clinton-dominated judiciary would do.

**Response:** First of all, I criticized Judge Baer's decision, and I took a lot of heat for doing so. And I directed the U.S. Attorney, whom I appointed and who brought the case in the first place, to appeal his decision immediately -- which is what got the drug runner behind bars, not all of the yelling by Senator Dole and Speaker Gingrich.

But more importantly, every lawyer and every journalist who has studied all of my appointees' decisions, not just the handful that have received publicity, has reached the conclusion that my judges are moderate, mainstream judges, whose criminal law decisions most resemble the decisions of judges appointed by President Nixon and President Reagan. If you want to look at isolated cases, you can find plenty of Republican judges -- including those sponsored by Senator Dole -- who have let criminals go free and done other things that everyone, including me, would disagree with. But look at all the cases and you determine that my appointees are in the mainstream.

## LEGAL REFORM

**Opening line:** I've long supported reforms of our legal system. But as President, I've insisted that those reforms help American families -- and I'm proud to have vetoed two so-called legal reform bills that sacrificed the health, safety, and financial security of ordinary Americans.

### **I. Key Answer Points**

- As anyone knows who has had contact with it, our legal system is too expensive and time-consuming, and it tolerates too many frivolous lawsuits. We must make the system work more fairly at less cost. I've tried to work with Congress to address these issues.
- But we have to make sure that in reforming our legal system, we don't harm American families. When a company makes a defective product that causes injury or death -- say, a tractor, a car, or a toy -- a family has a right to recover its losses. Likewise, when a company makes a fraudulent financial claim that deprives a family of its savings, there should be a right of recovery.
- We need a fair balance -- legislation that will put an end to litigation abuse at the same time as it will protect the legitimate rights of ordinary consumers and investors.
- I've signed one such bill, and I'm proud of it. In 1994, I approved legislation to limit the liability of aircraft manufacturers in what I thought was a reasonable and prudent way. That legislation will help not just the manufacturers, but all of us who use their products.
- But I'm just as proud that I refused to sign a product liability bill that would have endangered the health and safety of the American public by limiting the ability of courts to provide full relief to innocent victims of harmful products. That bill was unfair
  - because it arbitrarily capped punitive damages, which are paid by companies that have purposely made or sold harmful products; and
  - because it would have prevented some victims from recovering noneconomic damages -- such as pain and suffering -- which are especially important to senior citizens, women, children, and others without a large income; and
  - because it included a host of legalisms and loopholes that would have prevented meritorious claims from being brought at all -- for example, where the product causing injury was more than 15 years old, even though the lifespan of the product is supposed to be longer.
- And I'm just as proud that I vetoed a securities reform bill, even though that bill eventually became law. There are lots of good provisions in that bill -- provisions meant to end frivolous lawsuits and ensure that investors receive the best possible information. But other parts of the bill -- in particular, the standards for pleading fraud -- may wrongly

close the courthouse doors to investors who have been cheated by dishonest brokers.

- I'm committed to achieving thoughtful and balanced reforms to our nation's legal system. That has meant, in my first term, standing in the way of congressional overreaching. I hope it will mean, in another term, signing legislation that will help all Americans, including ordinary consumers and investors.

## **II. Dole Contrast**

- Senator Dole supported the bills I vetoed. And his economic plan advocates taking the most offensive provisions in the products liability bill -- including the cap on punitive damages and the limitations on noneconomic damages -- and applying them not just to suits involving defective products, but to all kinds of civil cases.
- His proposals will harm American families and reward those who profit from their misfortune. The Product Liability bill alone would have prevented many innocent victims from recovering their losses and undermined the health, safety, and security of the public. His proposal would go even further in that direction, hurting for example individuals harmed by negligent doctors or those who have suffered from sexual harassment or racial discrimination..

## **III. Likely Dole Attacks and Responses**

**Attack:** President Clinton is the trial lawyers' candidate. He has taken millions of dollars in campaign contributions from the trial lawyers. And as a consequence he has put the lawyers ahead of consumers, workers, and large and small businesses -- most recently by vetoing product liability and security litigation reform.

**Response:** The product liability bill I vetoed was opposed by every major senior citizen and consumer group. It was opposed by state legislators and judges, by the American Cancer Society, the Heart Association, the Lung Association, Mothers Against Drunk Driving and Sarah Brady's group, Handgun Control. These are mainstream groups. They opposed the bill for the same reason I did: not to help lawyers, but to protect injured Americans. We don't need to ignore the legitimate problems of ordinary people in order to get rid of frivolous suits and excess legal expenses. That's what this bill did, and that's why I opposed it.

**Attack:** Even the chair of Bill Clinton's own party -- along with numerous other Democrats -- strongly supported the securities bill that Bill Clinton vetoed. The President will look for any excuse to kill legislation reforming the legal system.

**Response:** I wanted a good securities bill, and I almost got it. There are many fine provisions in the bill that will help investors. Indeed I said last month that I'll work to protect those provisions against state action designed to override them. But at the last minute Congress snuck in a change that threatens to deprive defrauded investors of their ability to recover losses. I did differ from some members of my party on that provision. I'd do so again if the bill came to me tomorrow.

## ISSUE

**Opening Line:** [Overview statement providing subject's key message and themes.].

### I. **Key Answer Points**

- Point one
- Point two
- etc.

### II. **Dole Contrast**

- State Dole position/record
- Best response(s).

### III. **Likely Dole Attacks and Responses**

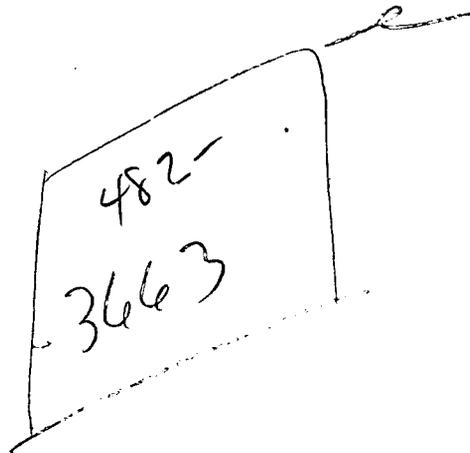
**Attack:** basic charge

**Response:**

- Point one
- Point two
- etc.

**Attack:**

**Response:**



## CRIME, DRUGS and GUN CONTROL

**Opening Line:** When it comes to crime, George Bush has made a lot of promises and posed for a lot of photos. We've learned the hard way that photo opportunities don't stop bullets or save police officers' lives. They haven't kept our country from setting an all-time record for violent crime. My plan to put 100,000 cops on the streets and keep handguns out of the hands of criminals will.

### Key Answer Points

- Under Bush, the U.S. has set all-time records for murder, rape and violent crime; America is now the most violent nation on earth. This will be the first four-year period in history in which 90,000 Americans will be killed.
- George Bush has spent \$30 billion for his anti-drug program, but we have more cocaine addicts and more heroin addicts in this country today than we did in 1988 -- more than 3 million Americans now use cocaine or heroin every week. Almost 1 million drug-affected babies have been born since Bush's election.
- White collar criminals have been treated with leniency. Two years ago, the Bush Administration promised to set up S&L Fraud Task Forces in 27 cities across the nation; so far, only two are up and running.
- I have a plan to fight crime:
  - Cut 100,000 federal bureaucrats and put 100,000 more cops on the beat;
  - Sign the Brady Bill and ban military assault-style weapons;
  - Launch a real fight against the drug epidemic, making sure that every child in this country gets comprehensive drug education in school, and every drug addict is taken off the streets and put into treatment or prison;
  - Crack down on street crime, gangs, and the violence in our streets, with tough punishments from boot camps to the death penalty;
  - No special breaks for white collar criminals like the S&L cheats.
- I'm supported by the largest police group to take a stand in this election (NAPO) and the police in George Bush's home state of Texas (CLEAT).
- As President, I will do everything that I can to ensure that every American can walk on any street, in any neighborhood in this country, without fear.

## Likely Bush Attacks and Responses

**Attack:** Crime is up in Arkansas under Clinton.

**Response:** As the nation set an all-time record for murders under George Bush, the number of murders fell in my state, down 12%. If you live in Arkansas today, you are much less likely to be the victim of a crime than if you live in some other part of the country.

**Attack:** Clinton has commuted the sentences of 39 first-degree murderers -- five after he made an election-year promise never to commute another murderer's sentence again.

**Response:** Over the past ten years, I have received over a thousand applications for clemency from murderers -- and I have granted only five.

- I limited clemency to very special cases where I believed some injustice had been done, or where the offender was quite elderly and infirm.
- There are many times when the clemency board unanimously recommended clemency for offenders, but I said no.
- I made each of these decisions carefully and thoughtfully, as I made the decision on four occasions to send men to death for the murders they committed in my state.
- Under George Bush, every Colombian drug kingpin in our prisons -- including the most notorious trafficker ever, Carlos Lehder -- has received either a reduced sentence, an enormous monetary fee, or flat-out freedom in exchange for testifying against Noriega.

**Attack:** Under Bill Clinton, criminals serve just a fraction of their sentenced jail time.

**Response:** We are now putting more criminals in jail and making them serve longer sentences than ever before in Arkansas. Today, if you are sentenced for a crime in my state, you are going to serve about 20% longer than the national average.

**Attack:** Clinton is soft on murderers.

**Response:** I've carried out the death penalty four times. For four years, George Bush has had the power to get the death penalty against drug killers; there were 4,000 drug murders in the first 1,000 days he had this power, but Bush won a death sentence against just one drug killer.

**Attack:** Clinton supports gun registration, confiscation, and the banning of hunting rifles.

**Response:** These are lies. As Governor of Arkansas, I've never supported any such laws -- and as a life-long hunter, I never will. I've been against the NRA -- but I have always been for hunters and law-abiding gun owners. As Governor, I signed a law to protect hunters' rights, one of the strongest in the country.

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## AGENDA:

### 1. Ground rules

### 2. Briefing book

- economic
- domestic
- foreign policy
- legal

### 3. Deadlines

- first draft: September 9 (or 13)
- rewritten draft: September 16 (or 23)

### 4. Format

### 5. Issue areas

- to be identified by September 4

### III. Likely Attacks from Dole and Panel of News Media

**Attack:** You and Speaker Gingrich had a much publicized handshake in New Hampshire in which you and he promised to create a bipartisan commission on campaign finance reform. Despite this promise, nothing ever happened. Haven't you lost all credibility on this issue as a result of your failure to fulfill this commitment?

**Response:** I wrote to Speaker Gingrich shortly after that handshake with a specific proposal to create a bipartisan campaign finance reform commission. He ignored that proposal. In addition, I asked two outstanding Americans, Doris Kearns Goodwin and John Gardner, to serve as my appointees to such a commission. Still Speaker Gingrich remained silent. Finally, believing that Speaker Gingrich had no desire to fulfill his commitment to create the commission, I endorsed the first real bipartisan campaign finance reform bill in a generation. This bill was sponsored by Senator John McCain, who nominated Senator Dole as his party's standard bearer, and Democrat Russ Feingold. It would reduce the cost of elections, provide free and reduced broadcast time, end the soft money system, and eliminate PACs. It's a good bill, I will fight for its passage next year.

**Attack:** The Republican Congress is responsible for the Line-Item Veto, the Congressional Accountability Act, and the Lobbying Disclosure Act. You and a Democratic Congress had two years to pass those bills and did nothing.

**Response:** I fought for passage of all three of those measures throughout my Presidency, and they wouldn't be the law of the land if I hadn't signed them. And let me remind the Senator that we would have passed both Congressional Accountability and the Lobbying Disclosure Act in my first two years in Congress if it hadn't been for the delaying actions of a few Members of his party. I give the Republican Congress credit for sending these important bills to my desk, but all of these measures were done on a bipartisan basis, they all had democratic sponsors.

Finally, let me point out that in my first two years in office, we eliminated the tax deduction for lobbying, passed the Motor Voter Bill, and implemented the toughest Administration ethics guidelines ever, including a five-year ban on top officials lobbying their former agencies and a lifetime ban against lobbying for foreign governments.

*100% bill in  
But in no time  
emerged as what  
will be truly  
productive*

**Attack:** *Mr. President, you have accepted PAC money for your campaign and your legal defense fund, you have raised a large war chest of soft money for the Democratic National Committee, and several of your cabinet officers have been accused of improprieties. Why should the American people think you will change business as usual in Washington.*

**Response:** Look at the record, we are changing business as usual in Washington. I've signed into law the lobby reform, the Line-Item Veto, the Unfunded Mandates Reform Act, and Motor Voter; we've made Congress live by the laws of the land and we've imposed the strictest ethics requirements on Administration officials in the history of our country. Obviously we have to do more. We need to pass real, bipartisan campaign finance reform. But I would suggest that what we have achieved over the last four years is historic. I do not believe there is a President who has signed into law more legislation to reform our political system.

Finally, let me remind you that while there have been charges against some officials in my Administration, most of these have not been substantiated. I am proud of the individuals who have served in my Administration. They work hard for less pay than they could earn in the private sector, because they believe in their country.

**Attack:** *The President does not support real political reform because he does not support the most important reform of all, term limits.*

**Response:** I sympathize with the goal of supporters of term limits, however, I do not believe that term limits address the real problems that belie our political system. That is why I support real campaign finance reform, which will level the playing field between challengers and incumbents by controlling the cost of elections, end the soft money system, ban PACs, and provide free and reduced broadcast time so the airwaves become a tool of information, not a weapon of political assassination.

## POLITICAL REFORM

*"The fact is, organized interests have too much power in the halls of government. These influence groups too often promote their own interest at the expense of the public interest. Too often they operate in secret. Too often they have special privileges ordinary Americans don't even know exist.... We have an historic opportunity to renew our democracy and strengthen our country. If we truly believe in a government that puts ordinary Americans ahead of the powerful and privileged, then we must act and act now."*

President Bill Clinton  
February 17, 1996

President Clinton is committed to curbing the influence of money in our political system. The President supports the Senate Campaign Finance Reform Act, introduced by Senators McCain and Feingold -- the first real bipartisan campaign finance reform legislation in a generation. The McCain-Feingold bill would help fight public cynicism, restore faith in the federal government, reaffirm that elections are won and lost in a competition of ideas and reduce the cost of campaigning. The bill includes many of the campaign finance reform proposals that President Clinton championed in 1992, including:

- Adopting campaign spending limits
- Banning political action committee (PAC) contributions to candidates
- Limiting the use of personal funds
- Ending the current soft money system by requiring disclosure of all soft money contributions
- Requiring broadcasters to provide free broadcast time and discounts to candidates who abide by voluntary spending limits.
- Prohibiting Congressional franked mailings in an election year

### A RECORD OF ACCOMPLISHMENT:

Since entering office, President Clinton has pursued a far-reaching agenda of political reform. The President is committed to reforming the way Washington works and ending business as usual. Among his accomplishments, he has:

- Enacted line-item veto legislation which significantly enhances the presidential authority to eliminate wasteful spending by allowing the President to cancel wasteful special interest projects and targeted tax breaks that benefit special interests.
  - The line-item veto can help the President close the door on business as usual in Washington by ending breaks for special interests and cutting pet spending projects that sneak into the budget year after year.
  - With this line-item veto, the President will have a valuable new tool to ensure that our public resources are being put to the best possible uses.
- Made voting easier for more than 11 million Americans by creating more accessible voter registration locations by enacting the National Voter Registration Act ("Motor-Voter"). The Motor-Voter law has already created the greatest expansion in the voter registration rolls since the 19th century.

✓ Fought for and signed into law the Lobbying Disclosure Act. The Act is the first overhaul of lobbying rules in 50 years and requires lobbyists to disclose who they work for and eliminates loopholes that allow lobbying organizations to avoid disclosure.

✓ • Enacted the Congressional Accountability Act to ensure that the same laws apply to Congress as to the rest of America.

✓ • Eliminated the tax deductibility of the cost of lobbying expenses for corporations.

✓ • Imposed the strictest Administration ethics guidelines ever, including a five-year ban on top officials lobbying their former agencies and a lifetime ban against lobbying for foreign governments.

• Enacted the ~~Unfunded~~ Mandates Reform Act to restrict Congress from passing on new mandates to state and local governments without paying for them.

### **THE CHALLENGES AHEAD:**

Despite a strong record of political reform, President Clinton understands that to end business as usual and to empower voters, we must pass real campaign finance reform.

The President believes we have an historic opportunity to renew our democracy and help restore trust in our government. In the coming months, the President will aggressively push Congress to pass bipartisan campaign finance reform legislation.

May 1996

# CLINTON GORE '96

## *President Clinton A Record of Respect for Gay and Lesbian Americans*

***"My Administration has taken more steps than any previous in bringing the gay and lesbian communities to the table. I am proud of my record, and it is a record to build on. I remain dedicated to ending discrimination and to protecting the civil rights of every citizen. In public life, I have worked relentlessly to empower people who historically have been discriminated against based on race, class, gender, disability, or sexual orientation. I remain committed to achieving that goal."***

*President Bill Clinton*

President Clinton is the first President to be personally and publicly committed to the principle of equality and acceptance for gays and lesbians. The Clinton Administration has won breakthrough victories for gays and lesbians and continues to fight on their side -- against bigotry, hatred, and the politics of division. Because of President Clinton's commitment to fairness, his Administration has promoted equality for gays and lesbians by:

- Signing an Executive Order eliminating the barriers to gays and lesbians receiving security clearances in the entire executive branch, including the Departments of Defense, Justice, and State and instructing the Director of the Office of Personnel Management to direct cabinet agencies and departments to issue policy statements banning discrimination based on sexual orientation;
- Endorsing the Employment Non-Discrimination Act (ENDA), which would outlaw discrimination in hiring, firing, and promotion based on sexual orientation by private employers -- making President Clinton the first President to back civil rights legislation for gays and lesbians;
- Fighting successfully to repeal the Dornan Amendment, which would have required the expulsion of all HIV-positive military service members, regardless of their ability;
- Signing the Hate Crimes Sentencing Enhancement Act;
- Speaking out against anti-gay referenda and ballot initiatives in various states;
- Appointing the most inclusive Administration in history -- over 100 openly gay and lesbian appointees, including former Assistant Secretary of the U.S. Department of Housing and Urban Development (HUD), Roberta Achtenberg, and Assistant Secretary of Commerce and Commissioner of Patents and Trademarks, Bruce Lehman, the first openly gay individuals to be confirmed by the U.S. Senate;

- Naming the first Presidential Liaison to the gay and lesbian community, Marsha Scott, and the first openly gay liaison, Richard Socarides;
- Appointing openly gay physician Dr. Scott Hitt to head the President's Council on HIV/AIDS, including both openly gay and HIV-positive Council members;
- Inviting openly lesbian health advocates to policy formulation meetings for the first time in history; and
- Supporting a national conference hosted by the Department of Health and Human Services (HHS) to examine the causes of and solutions to gay youth suicide.

### ***Fighting HIV and AIDS***

In 1992, Bill Clinton said he would "provide the leadership this country needs for a loud, clear, and consistent war on AIDS." President Clinton has translated that pledge into action. He is working to end discrimination within the health care system, to increase access to health care, and to ensure more effective action to prevent and find a cure for diseases, such as AIDS and breast cancer. President Clinton has:

- Increased public health spending for HIV/AIDS programs by nearly 43 percent, including a 132 percent increase for Ryan White CARE programs and a 34 percent increase for AIDS-related research;
- Fought to protect Medicaid from proposed cuts by the Congress -- cuts that would have been devastating to the 50 percent of people living with AIDS who rely on Medicaid;
- Directed the Justice Department and the Equal Employment Opportunity Commission to vigorously prosecute those who discriminate against people living with AIDS, leading to actions against health care providers and facilities that violate the Americans with Disabilities Act;
- Convened the National Task Force on AIDS Drug Development, accelerated the approval of protease inhibitors, and removed dozens of bureaucratic obstacles to the effective and dignified treatment of people living with AIDS;
- Established a permanent Office of AIDS Research at the National Institutes of Health, created the Office of National AIDS Policy at the White House, and convened the first White House conference on HIV/AIDS;
- Increased funding for Housing Opportunities for People with AIDS (HOPWA) by 96 percent and created the first Office of AIDS Housing at HUD to specifically address the issue;

- Created a permanent Office of Women's Health Research and increased funding for women's health issues, including a 65 percent increase in breast cancer-related funding;
- Doubled funding for AIDS Drug Assistance Programs (ADAP), helping people with AIDS gain access to protease inhibitors and other AIDS drugs; and
- Signed a law requiring that women, including lesbians, are included in National Institutes of Health supported research.

### ***Building on Our Progress***

Because President Clinton strongly believes in the values of fairness, equality, and non-discrimination, he will:

- Continue to oppose discrimination against lesbian and gay Americans and to fight for passage of ENDA;
- Continue to appoint men and women to his Administration who reflect the strength and diversity of the American people;
- Fight to protect Medicaid, the largest single source of medical assistance for people living with AIDS, including 90 percent of children with the disease; and
- Maintain his strong commitment to finding a cure for AIDS and to providing quality care for those living with HIV/AIDS.

***President Clinton and Vice President Gore  
Meeting America's Challenges ★ Protecting Our Values***

*Updated August 21, 1996*

THE WHITE HOUSE  
WASHINGTON

September 3, 1996

**MEMORANDUM FOR LEON E. PANETTA**  
**HAROLD ICKES**  
**EVELYN LIEBERMAN**  
**MICHAEL McCURRY**  
**MARY ELLEN GLYNN**  
**BARRY TOIV**  
**RAHM EMANUEL**  
**DONALD BAER**  
**MICHAEL WALDMAN**  
**KATHRYN HIGGINS**  
**MARGARET WILLIAMS**  
**JACK QUINN**  
**ELENA KAGAN ✓**  
**MARCIA HALE**  
**JOHN HILLEY**  
**DOUGLAS SOSNIK**  
**KAREN HANCOX**  
**ALEXIS HERMAN**  
**TODD STERN**  
**RON KLAIN**  
**DAVID STRAUSS**  
**LORRAINE VOLES**

**FROM:** George Stephanopoulos  
Richard Socarides



**RE:** SAME-SEX MARRIAGE TALKING POINTS

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The same-sex marriage bill is scheduled for Senate floor debate on Thursday. The Administration supports efforts by Senators Kennedy, Lieberman and Jeffords to amend the marriage bill to include the provisions of the Employment Non-Discrimination Act.

Slightly revised and re-formatted talking points for use in connection with these topics are attached.

## **SAME-SEX MARRIAGE**

-- The President strongly opposes discrimination against any group of Americans, including gays and lesbians, and supports legislation to outlaw such discrimination in the workplace.

-- In 1992, the President stated his opposition to same-sex marriage and recently, as the issue was raised by some in Congress, has said that if a bill consistent with his previously stated position reached his desk, he would sign it.

-- The President also believes that raising this issue now is divisive and unnecessary, and is calculated only to score political points at the expense of this community. The President believes that it is an attempt to divert the American people from the urgent need to confront our challenges together.

-- [If asked how the President can both oppose discrimination and support DOMA: this bill makes it clear that states may decide for themselves whether or not to recognize same sex unions, and so is consistent with his position on same sex marriage. The President strongly supports efforts to ensure that all Americans can find and keep jobs based on their ability and the quality of their work.]

## **EMPLOYMENT NON-DISCRIMINATION ACT**

-- On October 19, 1995 the President endorsed the Employment Non-Discrimination Act.

-- This legislation would ensure that Americans, regardless of their sexual orientation, can find and keep their jobs based on their ability and the quality of their work.

-- The Act is careful to apply some exemptions in certain cases, such as small businesses, the Armed Forces, and religious organizations, including schools and other educational institutions. The bill also specifically prohibits preferential treatment on the basis of sexual orientation, including quotas.

-- Thus the President supports the efforts of Senators Kennedy, Lieberman, Jeffords and others to amend the so-called Defense of Marriage Act to include the provisions of the Employment Non-Discrimination Act and the Administration is working actively for passage of the Amendment.

INTERNAL USE

**Gay Marriage Talking Points**

---- The President has long opposed gay marriage based on his belief that the institution of marriage should be reserved for unions between one man and one woman.

---- The President strongly believes that gay and lesbian individuals should not be subject to unfair discrimination, which is why he has endorsed legislation outlawing discrimination against gays and lesbians in the workplace. But he does not believe that the federal government should promote gay marriages.

[If asked about domestic partnerships or providing federal benefits to partners in gay and lesbian partnerships---]

---- These decisions are best left to state and local governments and private institutions. But since the President does not believe that the federal government should recognize gay marriage, he does not believe it is appropriate for scarce federal resources to be devoted to providing spousal benefits to partners in gay and lesbian relationships.

## RELIGIOUS FREEDOM

*"Let us never believe that the freedom of religion imposes on any of us some responsibility to run from our convictions. Let us instead respect one another's faiths, fight to the death to preserve the right of every American to practice whatever convictions he or she has, but bring our values back to the table of American discourse to heal our troubled land."*

President Bill Clinton  
November 16, 1993

Religion has always played a central role in the President's life. The President firmly believes that religion is an issue that should draw us together, not tear our communities apart. President Clinton has worked hard to help people of different faiths find common ground while adhering to the spirit of the First Amendment and its imperative that our government must neither establish nor interfere with religion, but rather respect the role religion plays in our families and our nation.

America is blessed with adherents of every significant religion, but what truly distinguishes this nation is the ability of Americans of different faiths to live side by side and work together for the common good. President Clinton will continue to work to protect the religious freedoms we all treasure while helping us find the common ground we all share.

### A RECORD OF ACCOMPLISHMENT:

- **Religious Freedom Restoration Act (RFRA):** President Clinton worked to pass the RFRA -- one of the most important civil rights bills for religion in American history. Supported by nearly 70 civic and religious groups, the Religious Freedom Restoration Act mandates that government cannot interfere with religious practice unless health or safety are jeopardized. Even then, the government must pursue its interest in the manner least burdensome to religion.
  - President Clinton directed the general counsel of each department of the federal government to prepare a report on religious rights issues that could arise in the course of their department's operations and to designate a staff lawyer to monitor new policies for violations of the RFRA. These procedures insure that federal agencies take account of Americans' religious sensibilities at the earliest stages of the policymaking process.
  - President Clinton directed the Justice Department to file a brief arguing that the RFRA entitled a church to retain money contributed by a bankrupt couple. The 8th U.S. Circuit Court affirmed President Clinton's opinion, ruling that the protection of creditors was not a compelling government interest of the sort required to justify encroachment upon religious freedom under the RFRA.

- **Guidance on Religion in Public Schools:** President Clinton directed the Justice Department to issue guidelines on acceptable forms of religious expression in public schools. The Clinton Administration's 1995 Guidance on Religion in Public School directs school officials to permit forms of religious expression including allowing students to bring Bibles to school, participate in student religious groups and say grace before meals. The President wanted to give guidance that could help parents, teachers, school officials and community leaders work together to address these difficult issues.
- **Working to End Church Arson:** President Clinton moved quickly to focus the nation's attention and resources to help stop the rash of church burnings across the country, prosecute those responsible and speed the rebuilding process. The President enacted legislation toughening criminal penalties for those convicted of burning religious institutions, providing for loan guarantees to non-profit groups -- including churches -- victimized by arson, and appropriating funds to combat church arson. In addition, President Clinton established a task force to coordinate investigations of church fires and ordered the establishment of a 24-hour, toll-free hotline to collect information on church fires.
- **Promoting Character Education:** President Clinton has actively promoted the teaching of ethical values in America's schools. Recognizing that basic moral values such as discipline, tolerance and civility are common to all beliefs, the President has encouraged schools to teach young people how to be good citizens as well as successful students. The Clinton Administration has provided grants to help school districts develop comprehensive character education programs.
- **First-Ever Class-Action Suit:** Under President Clinton, the Equal Employment Opportunity Commission filed its first class-action suit on the basis of religion. The EEOC challenged Dillard Department Stores' mandatory weekend work policy, ultimately settling the case in favor of the claimants whose religious beliefs did not allow them to work during the Sabbath. Many churches and synagogues were prepared to join the government's case as friends of the court.
- **Religious Freedom Day:** In recognition of the role of religious freedom in promoting democratic virtues, President Clinton declared January 14th as Religious Freedom Day. President Clinton invited Americans to use the day to reflect upon "the awesome power of religious liberty, not only to unite the citizenry in common cause, but also to empower us to question age-old beliefs and lift this Nation toward enlightenment."

PRINTER FONT 12\_POINT\_ROMAN  
PRINTER FONT 12\_POINT\_ROMAN  
REPRODUCTIVE RIGHTS

PRINTER FONT 12\_POINT\_ROMAN\_ITALIC  
PRINTER FONT 12\_POINT\_ROMAN\_ITALIC  
"Unfortunately, in Washington today, pure political correctness and raw political power count a whole lot more than actually doing something to reduce the tragedies of teen pregnancy and the high number of abortions...I believe it is clear what the law of the land is. And I believe that abortion should be rare, but it should be legal and safe."  
but it should be legal and safe."

PRINTER FONT 12\_POINT\_ROMAN  
PRINTER FONT 12\_POINT\_ROMAN

President Clinton  
June 24, 1995

President Clinton believes that decisions about abortion should be between a woman, her doctor and her conscience, and that abortions should be safe, legal and rare. That's why he has consistently protected women's health and safety, and the right of American women to make their own reproductive choices.

A RECORD OF ACCOMPLISHMENT:

- o Ended the Gag Rule: The Bush Administration instituted a "Gag Rule" that prevented women who used federally funded clinics from getting the information they needed to make informed reproductive choices. President Clinton reversed the "Gag Rule" in his first week in office.
- o Ensuring Clinic Safety: Since 1992, five people have been murdered and seven others have been shot and wounded at family planning clinics. President Clinton signed the Freedom of Access to Clinic Entrances Act, which is now being implemented by the Department of Justice, to fight violence and intimidation against women and their doctors.
- o Repealed the "Mexico City Policy": President Clinton reversed 12 years of attacks on reproductive choice for women around the world when he repealed the "Mexico City" policy that banned distribution of family planning funds to overseas organizations that perform abortions or provide counseling on reproductive choice, even with private money.
- o Established Services for Victims of Rape or Incest: President Clinton supported permitting Medicaid coverage for abortion services for poor women who are the victims of rape or incest, and for those whose lives are endangered. These services had been banned during the Reagan and Bush Administrations by the "Hyde Amendment" to the appropriations bill that funds Medicaid.
- o Ended the Ban on Fetal Tissue Transplantation Research: The

Bush Administration banned federal funding of fetal tissue transplantation research. President Clinton reversed the ban on this research which could lead to advances in women's health and in the treatment of leukemia and Parkinson's Disease.

- o Funding Family Planning: To help women reduce the risk of unintended pregnancies, the Clinton Administration has requested annual budget increases for the federal Family Planning Program. Among other reproductive health and education services, this program makes family planning information and contraceptives available to millions of women who might not otherwise get reproductive and other health care services.
- o Preventing Teenage Pregnancy: President Clinton has made teen pregnancy prevention a priority for this Administration. In order to continue to bring rates down, the Administration has pursued two fundamental goals: instilling a greater sense of personal responsibility in young people for the consequences of their behavior, while providing increased opportunities for education, jobs and their future, so that they are more likely to make the right choices.

President Clinton's challenge to the private sector to address the high rates of teen pregnancy has also prompted formation of the National Campaign to Reduce Teen Pregnancy. This effort aims to marshal private resources across the country to effectively reduce teen pregnancy rates by one-third in 10 years.

- o Facilitating Adoption: The Clinton Administration is working to encourage adoption, including adoption of children with special needs, and to reduce the amount of time children spend in foster care. President Clinton strongly supports the adoption tax credit in the Adoption Promotion and Stability Act of 1996. The tax credit is a step towards meeting the challenge of removing barriers to adoption by making it easier for families for whom adoption may be prohibitively expensive. During this Administration, there has been a 60% increase in the number of children with special needs adopted with federal assistance.

The President also strongly supported the Multiethnic Placement Act to help increase the number of adoptions by prohibiting discrimination based on race or ethnicity and the Administration remains committed to enforcing that law vigorously.

- o Welfare Reform: President Clinton has fought for welfare reform that promotes work and responsible parenting. The President believes that teenage mothers should be required to live at home, stay in school and turn their lives around. In May 1996, the President took executive action to require teenage mothers to stay in school and sign personal responsibility contracts or lose their benefits.

## THE CHALLENGES AHEAD:

President Clinton will continue to protect women's health and the constitutional guarantee of a woman's right to choose. The Republican Congress has consistently proposed legislation that violates this guarantee, endangering women's health and safety.

In April 1996, the President vetoed legislation banning a certain kind of abortion procedure because it failed to protect women from serious threats to their health. Although the President opposes use of the procedure on an elective basis, he believes it should be available in the small number of compelling cases where its use, in the medical judgment of a woman's physician, is necessary to preserve her life or avert serious damage to her health. The problem with the legislation Congress passed is that it provides an exception to the ban on the procedure only when a doctor believes that a woman's life is at risk, but not when the doctor believes a woman faces serious adverse health consequences. The President has clearly stated that if Congress passes a bill with a narrow exception allowing use of the procedure when necessary to prevent death or serious health consequences, he will sign it.

The Administration will further continue to work to reduce the numbers of unintended pregnancies, to support domestic and international family planning, and to champion programs that breakdown barriers to adoption.

May 1996

**FOR INTERNAL USE ONLY**  
**PRESIDENT CLINTON'S RECORD ON ABORTION**

*The President has always believed that decisions about abortion should be between a woman, her doctor and her faith, and that abortions--as protected by the decision in Roe v. Wade--should be safe and rare. That is why he has consistently protected women's health and safety and the right of American women to make their own reproductive choices, while he has worked to reduce the number of unwanted pregnancies. That is also why he has long opposed late-term abortions except when necessary to protect the life or health of the mother, consistent with Roe v. Wade.*

**KEEPING ABORTION SAFE AND LEGAL**

**As President:**

Ended the Gag Rule: The Bush Administration instituted a "Gag Rule" that prevented women using federally funded clinics--primarily poor women--from getting the information they needed to make informed choices about unwanted or health-threatening pregnancies. President Clinton reversed the "Gag Rule" in his first week in office.

Ensuring Clinic Safety: Since 1992, five people have been murdered and seven others have been shot and wounded at family planning clinics where abortions are performed. President Clinton signed the Freedom of Access to Clinic Entrances Act to fight violence and intimidation by anti-choice extremists against women and their doctors, which is now being implemented by the Department of Justice.

Assured Access for Military Families Overseas: President Clinton reversed the Bush Administration ban on privately funded abortions at military medical facilities overseas for women in the military and in military families. *The ban has since been reinstated by the Republican Congress in the Fiscal Year 1996 Department of Defense Appropriations and Authorizations Bills despite strong opposition from the President.*

Repealed the "Mexico City Policy": President Clinton reversed 12 years of attacks on reproductive choice for women around the world when he repealed the "Mexico City" policy that banned distribution of family planning funding for overseas organizations if they perform abortions or speak out about reproductive choice, even with private money.

Established Services for Victims of Rape or Incest: President Clinton supported permitting Medicaid coverage for abortion services for poor women who are the victims of rape or incest, in addition to those whose life is endangered. These services had been banned during the Reagan and Bush Administrations by the "Hyde Amendment" to the appropriations bill that funds Medicaid. *The proposed 1996 Republican House Appropriations Bill for the Departments of Labor, Health and Human Services, Education and Related Agencies, allow states to deny Medicaid funding for victims of rape and incest.*

Ended the Ban on Fetal Tissue Research: The Bush Administration banned federal funding of fetal tissue transplantation research. President Clinton reversed the ban on this research, which could lead to advances in women's health and in treatment of diseases like leukemia and Parkinson's.

*April 17, 1996*

Ended the Mifepristone Import Ban for Testing: President Bush imposed an import ban on Mifepristone, a drug that terminates pregnancy without surgery. President Clinton instructed the Department of Health and Human Services to explore appropriateness of promoting testing in the U.S. As a result, importation of the drug was allowed for clinical testing. The nonprofit Population Council has recently completed clinical trials, and submitted an application to the Food and Drug Administration to sell the drug for personal use by women in the United States. If approved, Mifepristone would expand choices for American women--giving them options already available in France, the United Kingdom and Sweden.

Appointed Two Supreme Court Justices who support the constitutional right to privacy

Fought for Women's Health: President Clinton vetoed legislation passed by the Republican Congress that would prohibit doctors from performing a certain abortion procedure. He vetoed the bill because it failed to contain an exception allowing women to use this procedure when necessary to protect their health from serious injury, as the Constitution and sound public policy require. The President also made clear to Congress that he would support legislation that included an exception for cases where selection of the procedure is necessary to avoid serious health consequences.

## **MAKING ABORTION RARE**

Preventing Teenage Pregnancy: The President has urged young people not to become parents before they are adults, have finished school and are ready to support their children. At the same time, he has fought hard for policies that give them the tools they need to build responsible and productive lives by providing them with positive alternatives to early sexual behavior and parenting. The Clinton Administration strategy for reducing teenage pregnancy is driven by two goals: instilling a sense of personal responsibility in young people, and providing them with increased opportunities by investing in their education, their health, their families and communities. We have supported policies and local programs consistent with these goals.

Recognizing that the government cannot solve this problem alone, the President has called upon leaders in the private sector to join together to take action in their own communities. The Administration has worked to support community-wide collaborations that teach responsibility and promote opportunity by providing information about what approaches work and grant funding for promising programs. In an effort to help local communities further develop effective prevention strategies, HHS plans to launch a \$30 million collaborative Teen Pregnancy Prevention Initiative in FY 1997. Demonstration grants to combat teen pregnancy will be made available to selected cities with disturbingly high teen pregnancy rates. Funds will be targeted to communities that have demonstrated a commitment to community problem solving in order to initiate efforts to reach at-risk teens.

President Clinton's challenge to the private sector to address the high rates of teen pregnancy has also prompted formation of a National Campaign to Reduce Teen Pregnancy. This effort aims to marshal the resources across the country to effectively reduce teen pregnancy rates by 1/3 in ten years.

Funding Family Planning: To help prevent unwanted pregnancies, the President has requested budget increases for the federal Family Planning Program for each year he has been in office. Among other reproductive health and education services, this program makes family planning information and contraception available to millions of women who might not otherwise get reproductive health care.

*April 17, 1996*

Facilitating Adoption: The Administration is working to encourage adoption and reduce the amount of time children spend in foster care. In October 1994, President Clinton signed the Multiethnic Placement Act, which removes barriers to adoption based on race or ethnic origin. The President has also stood firm throughout the budget debate to protect funds for adoption, foster care, child abuse and neglect, Medicaid, and SSI -- programs that are critical for many adoptive families and children. During this Administration, the number of children with special needs who have been adopted with Federal adoption assistance has increased by about 30%.

Signed Family and Medical Leave Act: President Clinton signed the Family Medical Leave Act into law, allowing workers to take up to 12 weeks of unpaid leave to care for an infant or ailing loved one without losing their jobs. American workers are no longer forced to choose between their jobs and their families in times of crisis.

Welfare Reform: President Clinton has fought hard for welfare reform that promotes work and responsible parenting, but that does not force states to cut people off welfare just because they're poor, young, and unmarried. Instead of punishing young mothers by simply cutting them off welfare -- a policy that the Catholic Church and others believe might lead to more abortions -- we should require minor mothers to live at home, stay at school, and turn their lives around.

#### **As Governor**

Late-Term Abortions: Signed a law prohibiting abortions after the 25th week of pregnancy, except for minors impregnated by rape or incest, or when the woman's life or health are endangered.

Parental Notification: Signed a parental notification law which requires minors to notify their parents with whom they are living unless they go through a judicial bypass provision and have a reason why they should not.

TALKING POINTS ON H.R. 1833 ("PARTIAL BIRTH")

- H.R. 1833 because the bill fails to protect women from serious health threats, as the Constitution and sound public policy require.
- The procedure described in the bill is very troubling. I do not support use of that procedure on an elective basis, where the abortion is being performed for non-health related reasons and there are equally safe medical procedures available.
- But this bill goes too far because it would prohibit use of the procedure even when it is necessary to protect her against serious injury to her health. Criminalizing use of the procedure in such cases, where women and their families must make a tragic choice, violates the requirements of the Constitution.
- I told Congress that I would support the bill if it included an appropriate exception designed to protect women against serious injury. Congress rejected this properly balanced proposal, which would have reserved this troubling procedure for those rare circumstances where it is necessary.

## Partial Birth -- Message

- President vetoed this bill for one reason -- it fails to include an exception permitting the use of this procedure in those rare cases where a physician says its use is necessary to avoid serious injury to a woman's health.

He simply could not accept a law that would force women to endure serious risks to their health -- including the loss of the ability to ever have a child again.

- He told the Congress on February 28 that he would *sign* the bill if it included such an exception. Congress refused.
- Before vetoing this bill, the President met with women who underwent an "intact dilation and evacuation procedure. These women desperately wanted their babies; they were devastated to learn that their babies had fatal conditions; they wanted anything other than an abortion -- *several of them were pro-life* -- but they were advised by their doctors that this procedure was their best hope of preventing death or grave harm, including the loss of reproductive ability.

For these women and others, this was not about choice. These babies were certain to perish before, during, or shortly after birth, and the only question was how much grave harm was going to be done to the woman.

- Criminalizing use of the procedure in such cases, where women and their families must make a tragic choice, poses a danger of grave harm to women. A ban of this kind, aside from violating the Constitution, would be the true inhumanity.

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## AFFIRMATIVE ACTION

"Affirmative action has been good for America. That does not mean it has always been perfect. It does not mean it should go on forever. It should be retired when its job is done, and I am resolved that that day will come.

But....the job is not done...."

President Bill Clinton  
July 19, 1995

We must not become the first generation of Americans since the end of Reconstruction to narrow the reach of equal opportunity. We must continue the struggle toward equal opportunity for all and special treatment for none. America cannot afford to waste a single person as we confront new challenges. Affirmative Action has closed many gaps in economic opportunity, but we still have a long way to go.

The unemployment rate for African-Americans remains about twice that of whites. Women still make only 72% as much as men. Women and minorities hold less than 5% of the senior management positions in the nation's largest companies. The federal government received more than 90,000 complaints of employment discrimination based on race, ethnicity and gender in 1994. Hate crimes and violence are still ugly realities in the lives of many Americans.

President Clinton believes there is still a need for affirmative action that is done right -- we need to mend it, not end it. There still exists a compelling need for race-conscious affirmative action measures in federal procurement that target assistance to small businesses owned by socially and economically disadvantaged individuals. As we approach the 21st century, President Clinton believes we must restore the American Dream to all Americans, find common ground amid our great diversity, and strengthen the American commitment to equal opportunity for all.

### A RECORD OF ACCOMPLISHMENT:

- o Done Right, Affirmative Action Works: In 1995, President Clinton ordered a review of the federal government's affirmative action programs. That review concluded that affirmative action is still an effective tool to expand economic and educational opportunity:
  - The military's approach, ensuring it has a wide pool of qualified candidates for every promotion, has given us the world's most diverse and best qualified military leadership.
  - Education Department programs targeted at minorities do a lot of good with a minimal investment -- about 40 cents of every \$1,000 in student aid.

- The affirmative action program administered by the Department of Labor, that was enhanced by President Nixon, has prevented discrimination and fostered equal employment for all Americans including women, minorities, the disabled and veterans -- without quotas or mandated outcomes.
- Affirmative action has helped build up firms owned by minorities and women, who were historically excluded, and has helped a new generation of entrepreneurs to flourish, fostering self-reliance and economic growth.
- o Presidential Directive to Ensure Affirmative Action: On July 19, 1995, President Clinton directed all federal agencies to comply with the Supreme Court's decision in Adarand and to apply four standards to make sure that all affirmative action programs are fair:
  - No quotas.
  - No reverse discrimination.
  - No preferences for unqualified individuals.
  - No continuation of programs that have met their goals.
  - Any program that does not meet any of these principles must be eliminated or changed.

The Administration has already suspended programs that did not meet the Supreme Court's guidelines in Adarand and has proposed procurement reforms that:

- Safeguard against fraud and abuse to ensure that the benefits of affirmative action go only to individuals and businesses that are deserving;
  - Require the use of race-neutral means such as outreach and technical assistance to increase minority opportunity and participation in federal procurement;
  - Ensure that race will not be relied upon as the sole factor in procurement decisions -- only qualified businesses will receive federal procurement awards;
  - Provide a set of market driven benchmarks for each industry-- not quotas -- to ensure that race-conscious procurement is not used unnecessarily;
  - Continue the use of several race-conscious contracting mechanisms to promote minority procurement, including the Small Business Administration's 8(a) program;
  - Avoid any undue burden on nonbeneficiaries of the program.
- o Employment Guidance: The Clinton Administration issued detailed guidance on the proper use of race in federal employment under Adarand.
  - o Litigation: The Clinton Administration is continuing to defend the use of affirmative action contracting under the 8(a) program in several court cases brought since Adarand. President Clinton also instructed the Justice Department to file a brief in support of the state of Texas' petition to the Supreme Court in the Hopwood case to uphold the

University of Texas Law School's interest in promoting racial diversity of its student body. The Administration strongly opposes federal and state initiatives such as the Dole-Canady bill and the California Civil Rights Initiative that would turn back the clock on the federal government's historic, bipartisan commitment to equal opportunity and eliminate affirmative action in California for minorities and women.

- o Helping Distressed Communities: President Clinton has issued an Executive Order launching the Empowerment Contracting program that provides a supplement, not a replacement, to existing federal procurement programs. Under the Empowerment Contracting Order, the program will offer incentives for government contracting awards to businesses in distressed communities that hire a significant number of residents and that generate significant economic activity in low-income areas.

THE CHALLENGES AHEAD:

President Clinton will continue to work to ensure equal opportunity for all Americans and to prevent this issue from dividing us. There are those who would use this issue to divide us. They must not succeed. America will survive and prosper as a society only if we are confident and united. Today in America, many racial and ethnic groups live and work together in harmony -- an achievement unmatched in human history. President Clinton believes we have a responsibility to renew and strengthen the ideals that foster that unity.

May 1996

**The American community.** Today's Democratic Party knows that when America is divided we will likely fail, but when America is united we will always prevail. Americans will always have differences, and when we reach across those differences, we are stronger for it. And we share an abiding set of values that define us as Americans. Our task is to draw strength from both — from our great diversity and our constant values — to fashion the future we want for our children.

*Fighting discrimination and protecting civil rights.* Today's Democratic Party knows we must renew our efforts to stamp out discrimination and hatred of every kind, wherever and whenever we see it. We deplore the recent wave of burnings that has targeted African-American churches in the South, as well as other houses of worship across the country, and we have established a special task force to help local communities catch and prosecute those responsible, prevent further arsons, and rebuild their churches. We believe everyone in America should learn English so they can fully share in our daily life, but we strongly oppose divisive efforts like English-only legislation, designed to erect barriers between us and force people away from the culture and heritage of which they are rightly proud. We must remember we do not have an American to waste. The Clinton Administration is committed to strengthening the government-to-government relationship between the federal government and the American Indian and Alaska Native tribal governments. The President will continue implementation of the Self-Governance/Self-Determination Act amendments, which he signed in 1994, that will eventually open up the self-governance program to all tribal governments that wish to participate, giving these governments full control of where and how certain federal resources are spent on their reservations. We continue to lead the fight to end discrimination on the basis of race, gender, religion, age, ethnicity, disability, and sexual orientation. The Democratic Party has always supported the Equal Rights Amendment, and we are committed to ensuring full equality for women and to vigorously enforce the Americans with Disabilities Act. We support continued efforts, like the Employment Non-Discrimination Act, to end discrimination against gay men and lesbians and further their full inclusion in the life of the nation.

Over the last four years, President Clinton and the Democrats have worked aggressively to enforce the letter and spirit of civil rights law. The President and Vice President remain committed to an Administration that looks like America, and we are proud of the Administration's extraordinary judicial appointments — they are both more diverse and more qualified than any previous Administration. We know there is still more we can do to ensure equal opportunity for all Americans, so all people willing to work hard can build a strong future. President Clinton is leading the way to reform affirmative action so that it works, it is improved, and promotes opportunity, but does not accidentally hold others back in the process. Senator Dole has promised to end affirmative action. He's wrong, and the President is right. When it comes to affirmative action, we should mend it, not end it.

*Religious freedom.* Today's Democratic Party understands that all Americans have a right to express their faith. The Constitution prohibits the state establishment of religion, and it protects the free exercise of religion. The President fought for and signed the Religious Freedom Restoration Act, to reaffirm the great protection the Constitution gives to religious expression, and to recognize the historic role people of faith have played in America. Americans have a right to express their love of God in public, and we applaud the President's work to ensure that children are not denied private religious expression in school. Whenever the religious rights of our children — or any American — are threatened, we will stand against it.

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*"If we do our job, we will make the next American century as great as each one that has come before it . . . . America's best days lie ahead."*

*Responsibility to our community and our country.* Today's Democratic Party believes every American has a duty and a responsibility to give something back to their community and their country. In the past three years, 45,000 Americans have performed national service as part of the AmeriCorps program President Clinton and the Democrats fought so hard to create — and we applaud those Republicans who joined a bipartisan effort to preserve AmeriCorps when Speaker Gingrich's House tried to kill it.

We applaud the American spirit of voluntarism and charity. As we balance the budget, we must work even harder in our own lives to live up to the duties we owe one another. We must shrink the government, but we cannot shrink from our challenges. We believe every school and college in America should make service a part of its basic ethic, and we want to expand national service by helping communities give scholarships to high school students for community service. We challenge Americans in all walks of life to make a new commitment to taking responsibility for themselves, their families, their communities, and their country.

If we do our job, we will make the next American century as great as each one that has come before it. We will enter the 21st century with the American Dream alive for all, with America still the world's strongest force for peace and freedom, and with the American community coming together, enriched by our diversity and stronger than ever.

America's best days lie ahead, as we renew our historic pledge to uphold and advance the promise of America — One nation, under God, indivisible, with liberty and justice for all.



- Ordered a review of the government's affirmative action programs which concluded that affirmative action is still an effective and important tool to expand educational and economic opportunity.
- The Administration argued in federal court to expand the Voting Rights Act and defended racially fair redistricting plans against claims they were unconstitutional.
- The Justice Department's Civil Rights Division has filed more cases in the last three years to enforce fair housing laws than any other Administration -- a record 457 cases.
- The Department of Housing and Urban Development actively intervened and desegregated a Vidor, Texas public housing complex.
- The Treasury Department, working with the Justice Department, ordered a Mississippi bank to implement remedial lending plans for minority customers once denied loans by the bank.
- Made voting easier for more than 11 million Americans by creating more accessible "motor-voter" registration locations. (National Voter Registration Act)

• **Providing Educational Opportunities for the New Century:**

- A record percentage of African-Americans were enrolled in post-secondary education in 1994 -- 35.6% of African-American high school graduates.
- In 1995, the number of PhD's awarded to African-American students increased 17% over 1994.
- Increased funding for Historically Black Colleges by nearly \$250 million since FY1992, an almost 25% increase.
- Established the President's Board of Advisors for Historically Black Colleges and Universities to strengthen the capacity of historically black colleges and universities to provide quality education by advising on ways to increase the private sector's role in these institutions.
- Increased Head Start funding by nearly \$800 million to provide early education to tens of thousands of additional children in need.
- Supported the development of standards of excellence for students while encouraging grassroots reforms to improve our schools. (GOALS 2000: Educate America Act)
- Gave schools greater flexibility to use federal aid and develop effective teaching innovations to help students achieve their full potential. (Improving America's Schools Act)
- Launched an Educational Technology Initiative to connect every classroom to the Information Superhighway and provide all students with access to computers by the dawn of the next century.
- Proposed spending \$5 billion to help local communities and states rebuild the nation's schools.
- Encouraged schools, colleges and employers to join in creating school-to-work opportunities, providing students with work-based learning and giving them new pathways from high school to good jobs and post-secondary education. (School-to-Work Opportunities Act)
- Enabled 45,000 volunteers to earn money for college by serving their communities and their country in the AmeriCorps program, with African Americans comprising one-third of all participants. (National Service Act)

- Reformed the federal student loan program, making college more affordable this year for millions of students in the Direct Lending program and others who will have access to flexible repayment options, including pay-as-you-earn plans. Over 1,700 schools, representing 50% of the total amount of loans, are expected to participate in the Direct Lending program this year. (Student Loan Reform Act)
- Proposed America's Hope Scholarships to make access to two-years of college universal by providing students with a \$1,500 refundable tax credit for full-time tuition in their first year of college and another \$1,500 credit in their second year if they work hard, stay off drugs and earn at least a B average in their first year. This \$1,500 tax credit will pay for more than the full cost of tuition at the national average-priced community colleges.

• **Cherishing Children and Strengthening Families:**

- Provided tax relief for 15 million working families by increasing the Earned Income Tax Credit to allow more families to qualify for tax rebates. In 1994, the EITC lifted over 700,000 African-Americans, including 370,000 African-American children, out of poverty.
- Helped families move from welfare to work by authorizing 40 states to bypass existing welfare rules and set time limits on benefits, require recipients to work or stay in school, provide child care and give employers incentives to hire welfare recipients.
- Helped move 1.3 million people from welfare to work -- decreasing welfare rolls by 10% since taking office.
- Breaking the cycle of welfare dependency by requiring teenage mothers to live at home, stay in school and turn their lives around.
- Implemented a new child support enforcement project to help track down non-paying parents across state lines; challenged states to adopt new hire programs to catch delinquent parents who move from job to job; and issued new regulations to require women who apply for welfare to comply with paternity establishment requirements before receiving benefits, except in cases of rape or threat to the mother's safety.
- Collected a record \$11 billion in child support in 1995 through tougher enforcement -- a nearly 40% increase over 1992.
- Worked with community, business and religious leaders to form a new National Campaign to Prevent Teen Pregnancy.
- Enabled workers to take up to 12 weeks of unpaid leave to care for a family member without fear of losing their jobs. (Family and Medical Leave Act). The President has proposed expanding the Family and Medical Leave Act to better help workers care for their families without sacrificing their work obligations. The expansion will allow workers to take up to 24 hours of unpaid leave in support of their children's educational needs, older relatives' health care and other family medical and dental obligations.
- Proposed an employee choice flex-time initiative that will allow workers to agree with their employers to work overtime in exchange for up to 80 hours of paid time-off ("flex-time"). Under the President's proposal, workers could choose to receive time-and-a-half in flex-time or in cash pay for each hour of overtime and could use their accumulated flex-time for any purpose.

- Established a Childhood Immunization Initiative to ensure vaccinations and healthy futures for all children. In 1995, 75% of two-year-old children were properly immunized, an historic high.
- Put the Women, Infants and Children Program (WIC) on a full funding path.
- Established the Office of Minority Health Research and Alternative Medicine at the National Institute of Health.
- Proposed a comprehensive initiative to cut off children's access to tobacco products and reduce their appeal to children.
- Gave parents greater control over what their children watch on television by announcing a breakthrough agreement with the media and entertainment industry to develop a television ratings system and by requiring the installation of anti-violence screening chips ("V-chips") in all new televisions.

- **Taking Back Our Streets From Crime, Gangs and Drugs:**

- Focused the nation's attention and resources to help stop the rash of church burnings across the country, prosecute those responsible and speed the rebuilding process.
- Filed a record 42 cases involving hate crimes in FY 1995, involving 66 defendants -- the second highest number charged in one year.
- Signed into law the toughest, most comprehensive Crime Bill ever, which puts 100,000 new police officers on the street -- more than 43,000 officers have already been funded.
- Stood up to the gun lobby and won passage of the Brady Bill -- as a result, more than 60,000 fugitives and felons have already been blocked from buying guns.
- Banned the manufacture and importation of 19 of the deadliest assault weapons while specifically protecting more than 650 legitimate sporting weapons. (Assault Weapons Ban)
- Keeping dangerous weapons out of our children's classrooms by enforcing a "Zero Tolerance" gun policy in schools.
- Reducing violence and drug abuse in our schools by investing in school security, drug prevention programs and counseling. (Safe and Drug Free Schools Act)
- Encouraged schools to consider adopting school uniform policies to reduce violence while promoting discipline and respect; communities to implement curfews to get children off the streets and out of harms way; and teachers and law enforcement to enforce truancy laws so that children are learning about life in school and not on the streets.
- Instituted a tough "One-Strike-And-You're-Out" policy in public housing for those who engage in criminal activity.
- Developed a comprehensive National Drug Control Strategy that will reduce illegal drug use through law enforcement, prevention, treatment and interdiction.

- **Creating Opportunity in America's Communities:**

- Created nine Economic Empowerment Zones and 95 Enterprise Communities that use tax incentives and flexible grants to promote economic empowerment and private sector job creation in 104 distressed communities across America.

- Creating a network of community development banks and financial institutions in low and moderate-income communities which leverages \$10 of private investment for every \$1 of federal investment. With \$50 million appropriated for 1995 and \$1.625 billion requested in the President's budget proposal for the next seven years, matching capital and other assistance will be provided to create and expand community development banks and financial institutions. (Community Development Banks and Financial Institutions Fund)
- Made the Low-Income Housing Tax Credit and Mortgage Revenue Bond Program permanent increasing opportunities for affordable housing development by the private sector.
- Reformed the Community Reinvestment Act to focus on performance -- actual lending, investments and basic banking services -- rather than paperwork. The reforms will unleash billions in new credit to low- to moderate-income communities.

• **Leaving Our Environment Safe and Clean for the Next Generation:**

- Issued an Executive Order on Environmental Justice, ensuring that low income citizens and minorities do not suffer a disproportionate burden of industrial pollution.
- Identified 20 environmental justice pilot projects to be undertaken across the country to redevelop contaminated sites in low-income communities and turn them into useable space, creating jobs and enhancing community development.
- Launched a Brownfields Initiative to return land to productive use by providing tax incentives to clean-up old industrial waste sites.
- Completed nearly as many toxic waste site clean ups in each of the past two years as were completed in the previous 10 years. Fought Republican Congressional attempts to gut the Superfund law that makes polluters -- rather than taxpayers -- pay to clean up toxic dumps.

• **Maintaining America's Leadership in the Fight for Freedom and Peace:**

- Restored democracy to Haiti, enabling the first transfer of power from one democratically elected president to another in Haitian history.
- Assisted South Africa's transition to democracy, providing support for elections and development.
- Hosted the first White House Conference on Africa in July 1994.

July 1996

## AFRICAN-AMERICANS

America is moving closer to fulfilling its fundamental promise of ensuring equality and the opportunity for advancement for all. President Clinton has worked to restore the American dream by expanding the economy, ensuring equal opportunity, investing in education and making our communities safer. Since President Clinton entered office, the economy has created over 10 million new jobs, the unemployment rate for African-Americans has declined nearly 30% and over 100,000 new African-American businesses have been created.

But more needs to be done. The unemployment rate for African-Americans remains twice that of whites and discrimination remains a daily fact of life for too many Americans. African-Americans are still more likely to be victims of murder, robberies and aggravated assaults. That is why President Clinton will continue to work to ensure that all Americans have the security and equal opportunity needed to develop to their full potential.

### A RECORD OF ACCOMPLISHMENT:

- **Helping Every American Achieve Economic Security in the New Economy:**
  - Oversaw the creation of more than 10 million new jobs in just over three years -- a faster annual rate of job growth than any Republican Administration since the 1920's.
  - For adult African-Americans, the unemployment rate dipped to 8.7% in June -- one of the lowest rates in 20 years. This is the 25th consecutive month that the unemployment rate for adult African-Americans has been in the single digits. (When President Clinton took office in January 1993, the unemployment rate for African-American adults was 12.5%.)
  - The incomes of African-American households increased 5% in 1994 -- the first real increase since 1988. The median income of married-couple African-American households increased by more than 11% between 1993 and 1994.
  - More than 1.3 million African-Americans would directly benefit from the President's proposal to raise the minimum wage to \$5.15 an hour.
  - Made new tax cuts available to 90% of small businesses.
  - Lowest combined rate of unemployment and inflation since 1968.
  
- **Fighting for Equal Opportunity:**
  - Appointed the most diverse Cabinet and Administration in history.
  - Members of the Clinton Cabinet include two African-Americans, two Hispanic-Americans and five women.
  - Fourteen percent of all Administration appointees are African-American.
  - President Clinton has to date nominated 42 African-Americans to the federal bench -- over 18% of total federal bench nominations. Overall, 68% of President Clinton's judicial appointees have been rated "well qualified" by the American Bar Association -- the highest percentage achieved by any Administration since the ABA began rating judicial candidates during the Eisenhower Administration.
  - Over 55% of the President's judicial nominees are women and minorities -- the highest proportion ever.
  - More African-American appointees (45) are serving in the White House than at any time in history.