

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. memo	Doug Sheorn to Beth Nolan re: NC-SES appointment (partial) (1 page)	~~12/27/1994~~	~~P6/b(6)~~
001b. memo	Doug Sheorn to Beth Nolan re: SES appointment (partial) (1 page)	~~12/26/1995~~	~~P6/b(6)~~
002. articles	Lexis Nexis annotated articles (date range 1986 - 1995) (28 pages)	1986-1995	P5 892

COLLECTION:

Clinton Presidential Records
Counsel's Office
Reynolds, Stacy
OA/Box Number: 5870

FOLDER TITLE:

Pouland, John C.

Dana Simmons
2006-0454-F
ds258

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)]

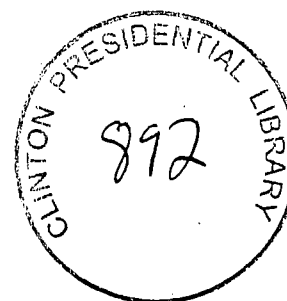
- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or 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]

WJC LIBRARY PHOTOCOPY

LEVEL 1 - 1 OF 90 STORIES

Copyright 1995 The Houston Post
The Houston Post

January 27, 1995, FRIDAY, FINAL EDITION



SECTION: TEXAS, Pg. A26

LENGTH: 197 words

HEADLINE: 2 ATTORNEYS SUE TO EASE ACCESS TO HIGH COURT

BYLINE: KEN HERMAN, POST AUSTIN BUREAU

DATELINE: AUSTIN

BODY:

Two attorneys went to court Thursday to try to make it easier to get to court.

In a federal lawsuit filed here, lawyers Mark Partin of Austin, who is confined to a wheelchair, and a blind Austin lawyer identified only by initials, allege the Texas Supreme Court building is in violation of the Americans with Disabilities Act.

Thursday was the first day that government facilities were required to comply with the federal law that guarantees equal access for all.

"Of all the buildings in Texas, the Supreme Court should stand as a symbol of equality under the law," said James Harrington, director of the Texas Civil Rights Project, which filed the suit on the attorneys' behalf. "We wouldn't tolerate a sign on the court that told racial and ethnic minorities not to enter the building."

The suit was filed against the state's General Services Commission, manager of state facilities. The building, which recently underwent a major overhaul, houses the Supreme Court and the Court of Criminal Appeals.

John Pouland, the commission's executive director, said the agency preferred to respond to the lawsuit, not the Texas Civil Rights Project's news release.

LOAD-DATE-MDC: January 29, 1995

LEVEL 1 - 14 OF 90 STORIES

Copyright 1994 The Houston Post
The Houston Post

March 24, 1994, THURSDAY, FINAL EDITION

SECTION: EDITORIAL, Pg. A30, EDITORIAL

LENGTH: 392 words

HEADLINE: DETERRENT TO ABUSE;

STATE SHOULD KEEP RECORDS OF AGENCIES' LOCAL CAL

The Houston Post, March 24, 1994

BODY:

IT MAY SOON become even more difficult to find out whether state elected officials and their employees abuse their time on the state payroll by making personal and political telephone calls.

With new Texas Agency Network (TEX-AN) equipment that can distinguish between long-distance and local calls, the General Services Commission plans to stop routinely keeping records of local calls in the Capitol Complex in Austin. It used to keep such records for 30 days, but for almost two years, it has been keeping them only for a week.

In 1992, such records showed a statewide officeholder's employees were spending time on state telephones working on Bill Clinton's presidential campaign. And recently an employee was found to be running an escort service from his state office.

But GSC Executive Director John Pouland says he sees no worthwhile public reason for keeping records of local calls because the calls cost the state no money.

Pouland says that if an elected official or other state agency head wants records of his or her employees' local calls - to check on misconduct or for other management purposes - the phone system could be reprogrammed to furnish the information at the agency's request and expense.

He says the new phone system, which covers only about 10 percent of the state work force, can be programmed so that it does not record the local calls. This will save his agency time and money supplying the records to agencies. Long-distance calls will still be recorded and records of them furnished to the individual state agencies and the state archives.

The Post hopes members of the GSC, meeting April 26, will reject the new plan. Local calls should continue to be recorded and, if any change is made, records should still be saved longer than a week.

The Capitol Complex contains the main offices of all statewide elected officials and members of the Legislature, as well as numerous other bureaucracies. The local-call records can indicate whether employees spend time politicking or doing undue amounts of personal business at work.

Outsiders should have access to such information - not just agency heads making special requests to check on their employees. Those bosses wouldn't be eager to make public abuses in their agencies.

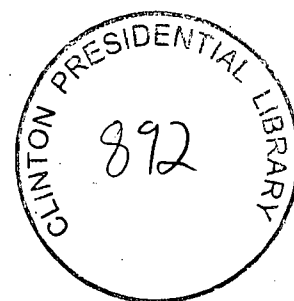
Continuance of the phone records may well discourage misconduct.

LOAD-DATE-MDC: August 24, 1994

LEVEL 1 - 30 OF 90 STORIES

Copyright 1993 The Dallas Morning News
THE DALLAS MORNING NEWS

July 18, 1993, Sunday, HOME FINAL EDITION



THE DALLAS MORNING NEWS, July 18, 1993

SECTION: TEXAS & SOUTHWEST; Pg. 37A

LENGTH: 938 words

HEADLINE: Hutchison phone case spurs debate;
Privacy vs. openness at issue

BYLINE: Wayne Slater, Austin Bureau of The Dallas Morning News

DATELINE: AUSTIN

BODY:

U.S. Sen. Kay Bailey Hutchison's reluctance to release state telephone records has sparked a debate over whether officials can use state equipment for private purposes without telling the public.

Even as they released records Thursday, Hutchison aides contended that if a public official reimburses the state for personal or political telephone calls, the records of those calls are private.

Advocates of open government warn that such a practice effectively would allow elected officials and state employees to use any government office or equipment for personal or political work -- and deny the public the right to see the records.

"This would be a very, very dangerous precedent," said Suzy Woodford of Common Cause in Austin.

"Any time a public official got a request from a citizen or the media for records from a telephone line or a fax machine used for political purposes, the official could just cite this and say, 'I don't have to give you this information.'"

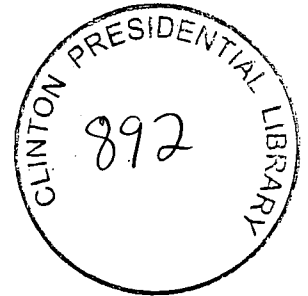
Dallas lawyer Tom Leatherbury, president of the Freedom of Information Foundation of Texas, said he is wary of any "attempt to create new exemptions under the Open Records Act."

"It's a dangerous precedent for any public official or any public employee to attempt to exempt documents from the Open Records Act and from public view because of reimbursement," he said.

Aides to Ms. Hutchison -- a Republican who was state treasurer from January 1991 until last month, when she was elected to the Senate -- called a news conference to make public records of 20 months of long-distance telephone calls made on a state line at the treasury.

The campaign, after requests by The Dallas Morning News and other news organizations, had declined for two months to turn over the records.

The documents also were sought by a Travis County grand jury investigating possible tampering with government records, obstruction of justice, official misconduct and violations of the Texas Open Records Act at the treasury during Ms. Hutchison's tenure.



THE DALLAS MORNING NEWS, July 18, 1993

Ms. Hutchison has denied any wrongdoing. Hutchison aides said they decided to release the records to the grand jury and to the news media because they thought that reporters were about to get them from other sources.

Still, spokesman David Beckwith said Ms. Hutchison continues to believe that the phone records are not subject to public scrutiny.

"The phone logs, according to our best legal opinion, are the result of private arrangement we had to lease the line," he said.

"The calls were entirely paid for by her, or, more specifically, by her treasury campaign."

John Pouland, executive director of the General Services Commission, which oversees state equipment, dismissed the argument that Ms. Hutchison "leased" a state telephone for private use.

"There is no leasing of a state phone," Mr. Pouland said. "Our belief is a state phone installed in a state office building by state employees using state cable and billed by the state for a state agency is a state phone."

"What you're saying is that you're going to buy out the Open Records Act."

State Attorney General Dan Morales, a Democrat, has been asked to issue an opinion on whether Ms. Hutchison has violated the Open Records Act but has declined to do so.

Ron Dusek, a Morales spokesman, said the attorney general wants to wait to see whether the grand jury inquiry decides the matter.

At issue was a decision by Ms. Hutchison shortly after taking office in 1991 to designate one of the telephone lines at the treasury for her private use. The line was part of the state system, which affords agencies cheaper rates for long-distance calls.

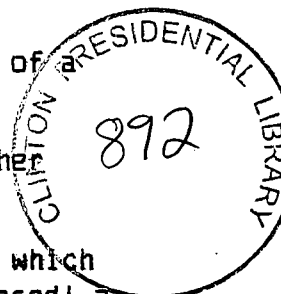
State law forbids public officials and employees from using their offices for nonstate business.

Mr. Beckwith acknowledged that Ms. Hutchison and treasury workers made personal and political calls on the line, but he said there was nothing wrong with that because the state was paid about \$ 2,500 for its use. The money came from her campaign funds.

Mr. Beckwith said Ms. Hutchison believed that she was following the practice of her predecessor at the treasury, Democratic Gov. Ann Richards. He said Ms. Richards maintained a public telephone for her own use while serving as treasurer.

Ms. Richards said she used state telephones at the treasury but billed private calls on her own credit card and always maintained that the records from any state phones are open to the public.

In recent years, state officials have installed in their offices private telephones not connected to the state system.



THE DALLAS MORNING NEWS, July 18, 1993

A review of the 7,000 telephone calls made on the Hutchison state phone during its 20 months of use include calls to a Washington political consultant, her Dallas fund-raiser, financial contributors, the Republican Senatorial Campaign Committee in Washington, family and friends.

Mr. Pouland said that regardless of whether Ms. Hutchison reimbursed the state for the cost of the telephone, the record of calls should be open to the public.

"It's not just an issue of circumventing the Open Records Act," he said. "You have negated the purpose of the Open Records Act, which is designed to give the public the right to know what state officials and employees are doing."

Jennifer Riggs, an Austin lawyer and former head of the open-government section of the attorney general's office, said Texas law supports the idea that the public has a right to know about the activities of its government.

The law provides specific exceptions to public scrutiny, including some matters dealing with litigation and personnel.

"It doesn't really matter who pays for the equipment," she said.

GRAPHIC: PHOTO(S): Kay Bailey Hutchison . . . contends that records are private.

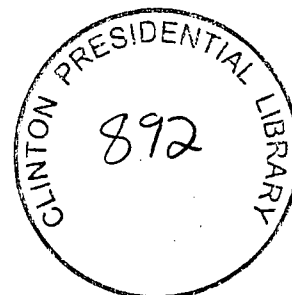
LANGUAGE: ENGLISH

LOAD-DATE-MDC: July 22, 1993

LEVEL 1 - 31 OF 90 STORIES

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The Hotline

July 16, 1993



SECTION: SENATE WATCH

LENGTH: 667 words

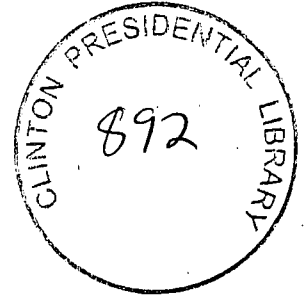
HEADLINE: TEXAS: HUTCHISON RELEASES PHONE LOGS, HIRES D.C. ATTY

BODY:

Sen. Kay Bailey Hutchison (R) "released telephone records" 6/15 and "said she hired a high-profile Washington lawyer to represent her in an investigation of the state Treasury she led for 2 1/2 years." Hutchison hired Atty John Dowd, who has represented Sen. John McCain (R-AZ) in the Keating Five investigation and baseball star Pete Rose. Hutchison said she hired Dowd to help "organize and prepare informaton in response" to the inquiry. Hutchison spokesperson David Beckwith on the release of the phone logs: "We have nothing to hide." Beckwith and Hutchison consultant Karl Rove have "accused employees in the treasury of leaking information to the news media ... as part of a campaign by Democrats to discredit" Hutchison before her '94 re-election campaign. Beckwith "mentioned" TX Treasury Press

(c) 1993 The Hotline, July 16, 1993

Sec. Monte Williams "by name." Williams "denied leaking information": "It looks like Karl and Dave need to get a bumper sticker that says, 'Honk if you're paranoid.' ... For goodness sake, I was a key member of the Krueger campaign, so I don't think I qualify as a shrewd political operative" (Kuempel/Slater, DALLAS MORNING NEWS, 7/16). Dowd on the leaks: "The issue here is whether people who choose to distort or disseminate false information can nullify the election of a United States senator" (HOUSTON CHRONICLE, 7/16).



YESTERDAY'S LEADS: HOUSTON CHRONICLE's Ratcliffe reports that ex-deputy TX Treas. Mike Barron confirmed that Hutchison, then TX Treasurer, had "ordered the removal" of records. Barron said that last year Hutchison ordered her top aides to "give her records detailing long-distance calls made on a state telephone line used by Hutchison and some of her key staff members to make personal and political calls" (7/15). Sources who have seen the phone records, indicated that "more than 5,000, and perhaps as many as 8,000 long-distance calls" were made between 1/91 when Hutchison took office and 8/92 when the line was disconnected (Kuempel, DALLAS MORNING NEWS, 7/14). Hutchison "frequently ran more than six months behind in repaying the state, but she eventually reimbursed the state more than \$2,500 for 20 months of telephone service and long distance calls." State law "makes intentional tampering with governmental record a third degree felony." However, Beckwith "said the records are Hutchison's property -- not the state's -- because she ultimately paid for the line" (CHRONICLE, 7/15). TX Gen. Services Commis. exec. dir. John Poulard countered that "public officials cannot use state telephones ... for private purposes and then claim the records are secret because they reimbursed the government for its use." The Travis Co. grand jury is also looking at "possible misconduct in the office," amid charges that some ex-employees did "political work on state time." Hutchison aides have called the investigation a "Democrat-orchestrated bid to discredit" Hutchison before her '94 election (AP/DALLAS MORNING NEWS, 7/15).

LANGUAGE: ENGLISH

LOAD-DATE-MDC: 07/16/93

LEVEL 1 - 34 OF 90 STORIES

I Copyright 1993 The Houston Chronicle Publishing Company
The Houston Chronicle

May 6, 1993, Thursday, 3 STAR Edition

SECTION: A; Pg. 33

LENGTH: 757 words

HEADLINE: Ex-aides accuse Hutchison of cheating state;
Telephone use questioned

The Houston Chronicle, May 6, 1993

BYLINE: R.G. RATCLIFFE, Houston Chronicle Austin Bureau; Staff

DATELINE: AUSTIN

BODY:

AUSTIN -- Three former state treasury employees say Kay Bailey Hutchison required them to make personal and political calls for her on state time using a state telephone line.

The treasurer's office Wednesday refused to release to the Houston Chronicle records detailing long-distance calls on the line, saying it was privately leased by the Hutchison campaign and not subject to the Texas Open Records Act.

Hutchison's political account repaid the state for service on the line. Payment records indicate it was used to make 10 to 20 hours of long-distance calls a month between February 1991 and August 1992, when it was disconnected.

But the three former employees -- all Republicans -- said they received state pay for making Hutchison's political calls on the line during office hours.

Hutchison spokesman David Beckwith said any employee who did non-state work during office hours was supposed to make up the time by working late.

Hutchison, the Republican state treasurer since 1991, is in a special election runoff with Democrat Bob Krueger for a Texas U.S. Senate seat.

Two former top aides to Hutchison, Trilby Babin and Sandra Sneed, and a former key aide who asked to remain anonymous said they were frequently required to use the state line for the treasurer's personal and political calls.

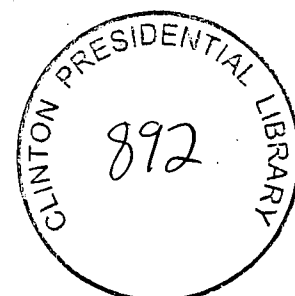
They said four to six members of Hutchison's executive staff had direct access to the line while others could come into the executive offices to use it.

Babin, who was Hutchison's scheduler from January through June of 1991, said the treasurer had her use the line to contact political contributors and to perform such personal tasks as buying opera tickets.

"When she would go visit an area, she would have me call all of her supporters in an area, the SREC (State Republican Executive Committee) rep from that area, the senator, the representative, big donors," Babin said.

"She had a big donor list that was kept in the office and we were supposed to keep in contact with them."

Sneed, who worked directly with Hutchison as her administrative assistant, said virtually all use of the line by



The Houston Chronicle, May 6, 1993

state employees was during normal working hours.

Snead said she placed political calls for Hutchison and also was required to negotiate duties with Hutchison's yard man and maids using the line.

The third former employee said Hutchison knew her workers were using the line for political calls during office hours.

"The purpose of having it in your state office was so you could use it while you were in your state office," the former aide said.

Hutchison spokesman Beckwith defended her actions and claimed the accusations were "politically inspired."

"Out of an abundance of caution, (Hutchison) had installed and paid for a private telephone line so there would be no question about the misuse of state funds," Beckwith said.

When the treasurer's office responded to a Chronicle request for other phone records last year, officials inadvertently provided a document that reflects five of 334 long-distance calls made on the line during November 1991.

The Nov. 27 calls included two that could not be identified, a two-minute call to Republican Sen. Phil Gramm's Dallas office at 1:01 p.m., a 10-minute call to Tarrant County GOP headquarters at 1:16 p.m. and a one-minute call to a Dallas political consultant at 2:22 p.m.

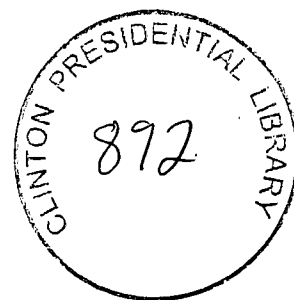
Alicia Fechtel, general counsel for the Treasury, on Wednesday refused to turn over records of long-distance calls made on the line. She said the agency does not have the records and is not required to keep them.

State Purchasing Director John Pouland, a Democrat, said the line was a state telephone subject to open records review.

The Texas State Library Records Management Division manual directs state agencies to maintain "accounts payable information" such as phone records for three years.

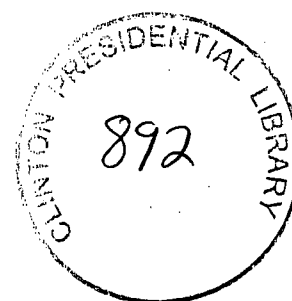
In 1992, two other state officials -- Land Commissioner Garry Mauro and Agriculture Commissioner Rick Perry -- and their aides used state telephones on state time to make long-distance calls on behalf of political campaigns they were helping.

Mauro, a Democrat, and members of his staff used state equipment and time to help Arkansas Gov. Bill Clinton campaign for the presidency. Perry, a Republican, reportedly used agency phones to make long-distance calls to the campaign of Barry Williamson, a Republican who ran successfully for the Texas Railroad Commission.



The Houston Chronicle, May 6, 1993

Both reimbursed the state for some of the calls.



LANGUAGE: ENGLISH

LOAD-DATE-MDC: May 7, 1993

LEVEL 1 - 37 OF 90 STORIES

I

Copyright 1992 American Lawyer Newspapers Group, Inc.
Texas Lawyer

December 21, 1992

SECTION: THE PRODUCTS LIABILITY CLEANUP; Pg. S-2

LENGTH: 1489 words

HEADLINE: MAUZY ECLIPSED, BUT NEW STARS COME OUT;
Detente, Defeat Shape Austin's 1993 Look

BYLINE: BY WALTER BORGES

BODY:

Political life in Austin follows a two-year cycle, with elections prominent in even-numbered years and the Legislature's regular sessions dominating odd-numbered ones. The end of 1992 closes one such cycle, giving Texas Lawyer the chance to assess the changing of the guard in and around the capitol. Here's a guide to who's newly in, and who's on the way out, within the public sector of the legal profession.

IN

Bob Bullock -- The lieutenant governor used his considerable power as presiding officer of the Senate to craft a products liability compromise between business interests and plaintiffs' lawyers. And he did it before the session started. What next? Walking on water? A state income tax?

Rose Spector -- 1992 was supposed to be the Year of the Woman in the congressional elections, but the Year had long coattails in Texas, which already had women running the governor's office and the state treasury. Underdog Rose Spector took advantage with a simple, effective TV ad that showed historical photographs of Texas Supreme Court members -- exclusively male.

Jack Hightower -- Defense lawyers and business interests roasted Supreme Court Justice Hightower after he cast the deciding vote in the 1990 Alfaro decision striking down the forum non conveniens doctrine, even though he based his decision on legislative procedure grounds rather than the merits of the doctrine (which he favors). Although disinformation swirled about his Alfaro vote, Hightower recovered to lead state Democratic candidates in the Nov. 3 balloting.

"Disarmament" -- The Texas Medical Association and individual members of the Texas Trial Lawyers Association have warred over the Texas Supreme Court since 1988. Millions have been spent by trial lawyers and doctors in 12 races, and

Texas Lawyer, December 21, 1992

the TMA has put considerable time and money into grass-roots political efforts. But a solid, TMA backed majority on the high court, a mixed result in the 1992 races and cooperatively drafted legislation on some medical liability issues have both organizations eyeing detente. As TMA legislative affairs director Kim Ross puts it: "Both us and the trial lawyers have second-strike capability, so it doesn't make sense to consider escalating to nuclear war." One upshot: Some officials in both organizations are exploring the possibility of finding a centrist judge who could run in 1994 with the backing of both organizations.

Court of Criminal Appeals Judge-Elect Larry Meyers -- Methinks the judge doth concede too much. He congratulated incumbent opponent Fortunato "Pete" Benavides early, then beat him in Election Night's biggest surprise.

Benavides, 5th Court of Appeals Justice Kevin Wiggins and 208th District Judge John Kyles of Houston -- These appointed minority incumbents are on their way out after losing at the polls, but the likelihood they could testify in court some day about racial bias in at-large judicial elections has breathed new life into efforts to settle the Voting Rights Act cases by establishing single-member districts for both the appellate and district courts.

The Texas Ethics Commission and Ronald Earle -- For Texas legislators, there was always a free lunch on a lobbyist's tab. Not any more. Praise -- or blame -- an ethics panel of political appointees who take their oversight of governmental ethics seriously. Their actions were reinforced by Travis County District Attorney Earle, previously reluctant to take aggressive action against ethics scofflaws, who now takes a hard-line interpretation of the statutes.

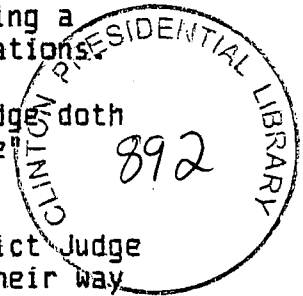
Heard, Goggan, Blair & Williams -- The tax-collection firm scored a coup by winning a five-year extension on its Bexar County collection contract before the election. Timing was crucial because both candidates for county judge, Republican winner Cyndi Krier and Democrat Tommy Adkisson, favored a competitive bidding process rather than a rubber-stamp renewal of Heard, Goggan's contract.

OUT

Oscar Mauzy -- 1993's most obvious outsider was for years a liberal Democratic icon in the Texas Senate and on the Texas Supreme Court. He worried less about the letter of the law than its impact on the old Democratic alliance of labor, the poor and the powerless -- and his outspoken advocacy of their interests made him a target of Republicans, conservatives business interests and professional associations. He freely got down in the mud with his opponents in election campaigns, but his defense of campaigns fueled by large political contributions cost him clearly. Foes incorrectly but successfully painted him as the target of a "60 Minutes" probe. Sic transit gloria mundi.

Craig Enoch -- The 5th Court of Appeals' chief justice bumped off Mauzy in a race that wasn't close, surprising a bunch of political consultants and activists whose polls late in the campaign showed the opposite. Enoch gets no honeymoon after he takes the high court bench in January, for it came to light in the course of the campaign that he had used court personnel to help research and draft his master's thesis and had his secretary write political thank-you notes on court time. That is under investigation by the Travis County district attorney's office.

Garry Mauro -- After heading Bill Clinton's Texas campaign, the land



Texas Lawyer, December 21, 1992

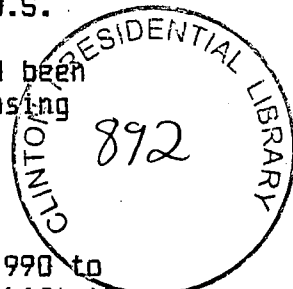
commissioner is hot property in the speculation about Cabinet spots. Financial problems stemming from unwise real estate investments may keep him at home, however. Besides, Clinton lost Texas.

Parker McCullough -- The Georgetown attorney was commanding increasing attention as a sidekick to House Speaker Gib Lewis until rural opposition to high-speed rail in his district stopped his rapid rise in its tracks.

Mark Yudof -- The law dean at the University of Texas was the hometown favorite when the Austin campus sought a new president, but an alien academic from the University of Illinois took the prize. This was previously unthinkable in Texas, sort of like picante sauce from New York.

Anita Rodcheaver -- Harris County's district clerk did nothing wrong, according to the Texas secretary of state's office, when she reported the Nov. 3 election results complete except in one judicial race that drew 41,000 write-in votes. She forgot to say that the votes on the write-in ballots hadn't been counted for other races, either, and the embarrassing reversal of five results made banner headlines in Houston.

John Pouland -- Shortly after the Dallas lawyer and Democratic political activist took over as executive director of the General Services Commission, he declared that the commission would destroy state records of local telephone calls weekly to save on computer data space and tape costs. Pouland announced the action after the local phone records had been used to reveal that U.S. District Judge James Nowlin of Austin had improper contacts with state legislators when drawing up a redistricting plan. The same records had been used to spark a criminal investigation of Mauro and his employees for using state phones and state time to campaign for Clinton.



FARTHER OUT

Rusty Hardin -- Hardin quit his prosecutor's post in Harris County in 1990 to found Texas People Against Crime, a pro-law enforcement PAC aiming to shift the balance in the Court of Criminal Appeals. Only one of four TPAC-backed candidates won in 1990, and this year things got worse: All three candidates the group endorsed were beaten.

BEYOND PLUTO AND URANUS

The Citizen's Commission on the Texas Judicial System -- Small "d" democracy continues to face an assault from the state's conservative leaders, who prefer small "r" republicanism with its greater opportunities to concentrate and influence political power. Nothing demonstrates this better than the misleadingly named Citizen's Commission -- more than two-thirds of the 124 members are judges, former judges, lawyers or court employees -- which proposed a scheme that would give the Texas Supreme Court chief justice unprecedented power. The CJ could sit on both criminal and civil panels, call both panels to sit en banc, and would appoint the presiding judges for the state's nine administrative judicial regions. The plan's originator, not surprisingly, is Chief Justice and law czar-apparent Thomas Phillips.

IN PURGATORY

John Hall, Kirk Watson, Allen Evans and Amy R. Johnson -- Gov. Ann Richards

Texas Lawyer, December 21, 1992

named Hall to head the Water Commission, Watson to chair the Texas Air Control Board, Evans to sit on the State Board of Insurance and Johnson to serve as public insurance counsel. All appear ready to regulate, rather than expedite the special interests of the regulated, which does not augur well for their confirmation hearings in the upcoming legislative session. Their success in confirmation will be a test of whether the agencies they head have been "captured" by those they regulate.

GRAPHIC: Picture 1, BULLOCK; Picture 2, BENAVIDES; Picture 3, EARLE; Picture 4, MAUZY; Picture 5, ENOCH; Picture 6, YUDOF; Picture 7, HARDIN

LANGUAGE: ENGLISH

LEVEL 1 - 40 OF 90 STORIES

Copyright 1992 The Houston Chronicle Publishing Company
The Houston Chronicle

September 5, 1992, Saturday, 2 STAR Edition

SECTION: A; Pg. 34

LENGTH: 386 words

HEADLINE: State agencies chose only 15 black vendors

BYLINE: JO ANN ZUNIGA; Staff

BODY:

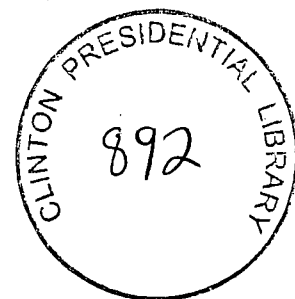
Only 15 black vendors were chosen by state agencies out of 105,430 contracts issued to vendors through general purchasing this year, the chairman of Houston Black American Democrats announced Friday.

Through an Open Records Act request earlier this year, the Texas Coalition of Black Democrats discovered the results, said Ray Paige, local chairman. A total of 3,832 contracts out of the 105,430 state contracted vendors were listed as "'disadvantaged business enterprises (DBE),' 'operated by minorities and women.

Fifteen of those were black.

"This inequity will not be tolerated and the Houston Black American Democrats are putting these agencies, boards and commissions on notice, as well as those who appointed them, that some remedy to correct this apparently deliberate action, must commence immediately," Paige said during a press conference in City Hall.

A review of state records showed that the Commission on Jail Standards had no black or DBE contract in 1990 or 1991 and neither did the Texas Motor Vehicle Commission. Texas Department of Agriculture had no black vendors in its 206 contracts and neither did the Texas Department of Corrections and Jails Pardons and Paroles Division out of its 526 vendors or Texas A&M University at



The Houston Chronicle, September 5, 1992

Galveston out of 221 contracts.

The State Purchasing and General Services Commission, which does the majority of bulk purchasing for state offices, had one black vendor and 82 DBEs out of 1,255 total contracts.

"The consensus of the coalitions is that based on the historical resistance of Texas State Boards and Commissions to contract equitably with black and other minority groups, it is feasible that much more dramatic action will be required by these agencies and the Legislature," according to a statement by Booker T. Morris III, state coalition president.

Bill Cryer, governor's press secretary in Austin, said, "This has been a concern of Governor Richards since she was state treasurer."

Several weeks ago Richards requested John Pouland, State General Services Commission director, to insist agencies allow equitable opportunities for minority vendors.

Pouland said, "The DBEs, minority, women and small businesses have historically been short-changed and it's time to change it for the better."

LANGUAGE: ENGLISH

LOAD-DATE-MDC: September 11, 1992

LEVEL 1 - 42 OF 90 STORIES

Copyright 1992 The Houston Chronicle Publishing Company
The Houston Chronicle

July 6, 1992, Monday, 2 STAR Edition

SECTION: B; Editorials; Pg. 6

LENGTH: 380 words

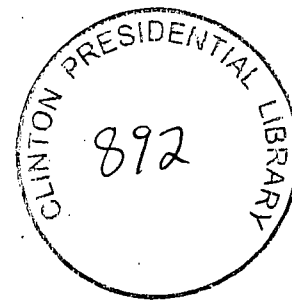
HEADLINE: COVER-UP AT WORK;
Lawmakers now need to preserve state phone records

BYLINE: Staff

BODY:

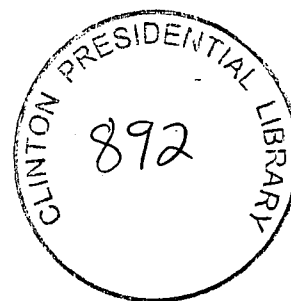
The Legislature ought to step in now that the General Services Commission has chosen to continue its sudden new practice of destroying records of state telephone calls after only one week.

The hurried destruction of records can only make it more difficult to uncover any misuse of state phones by the Austin political establishment.



The Houston Chronicle, July 6, 1992

Lawmakers should take the first opportunity to pass legislation preserving these phone records long enough so that it is effectively possible to check them for inappropriate calls made at public expense. These records were once kept for a month or more. The General Services Commission's speed-up decision appears to be nothing more than an attempt to help cover up any future misuses of state telephones, state resources and state employees' time.



The timing of the initial decision several weeks ago to erase the computer tape records was surprising, and revealing. It came shortly after the Chronicle used the records to document inappropriate and possibly illegal use of state telephones by Land Commissioner Garry Mauro and some of his employees on behalf of presidential hopeful Bill Clinton. Texas Attorney General Dan Morales had also used the records in a highly publicized and successful investigation over state Senate redistricting.

The point is that these are public records which ought to be retained long enough so they can be checked if allegations of misuse arise. Keeping them for only one week is obviously not long enough. The commission maintains long distance records for a month or more. It should do the same for local calls.

The initial decision to hurriedly destroy the possible evidence was apparently made by the executive director of the General Services Commission, John Pouland. When Isaias Torres, a member of the Texas Ethics Commission, questioned Pouland about the decision, Pouland said he would reverse the new policy if that was what the ethics commission wanted.

The ethics commission subsequently decided it did not have jurisdiction to do anything about the records, but its chairman, George Bayoud, said the new policy "looks bad." It certainly does. So why hasn't the General Services Commission done what its executive director implied it would?

LANGUAGE: ENGLISH

TYPE: Editorial Opinion

LOAD-DATE-MDC: July 9, 1992

LEVEL 1 - 45 OF 90 STORIES

I

Copyright 1992 The Houston Chronicle Publishing Company
The Houston Chronicle

May 23, 1992, Saturday, 2 STAR Edition

SECTION: A; Editorials; Pg. 38

The Houston Chronicle, May 23, 1992

LENGTH: 388 words

HEADLINE: GUARDING ETHICS;

State commission can do its job with simple request

BYLINE: Staff

BODY:

The Texas Ethics Commission has a responsibility to ask that records of state telephone calls be maintained for more than a week. It has a public invitation to do so from the state agency which has charge of the records. Commission members, whose broader mandate is seeing to clean government, should not be wringing their hands over whether they are technically authorized to make what would only be a request in the name of proper government oversight.

What they have is a moral pulpit, if you will, from which to speak out against practices, policies and conduct that are shady or corrupt in government, or anything that facilitates or covers up misuse or abuse of government resources and employees. This moral weight is all they need.

The General Services Commission, which has charge of the records, has abruptly changed its policy regarding keeping records of local calls made on state telephones. Where it once kept the records for at least a month, it is now destroying them after only a week.

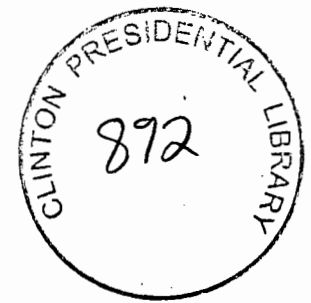
That more-rapid disposal policy comes too coincidentally with recent use of the records to uncover ethical and perhaps legal problems in state government. The new policy will only too obviously make it harder to uncover such matters in the future.

The telephone records enabled this newspaper to find significant political abuse and misuse of state telephones and state resources at the General Land Office by Land Commissioner Garry Mauro and some of his employees. The records also helped Attorney General Dan Morales and federal officials make the case that U.S. District Judge James Nowlin of Austin had improper contacts with state legislators concerning the drawing of new state Senate district lines.

These two examples argue for maintaining the records for at least a month, if not longer. Destroying them earlier makes it easier to abuse state government and have it go undetected.

The executive director of the General Services Commission, John Rouland, was questioned about the decision to quickly destroy the records by Ethics Commission member Isaias Torres of Houston.

Rouland said he would retain the records if asked to do so by the commission. Ethics Commission Chairman George Bayoud should have no qualms about asking. It is the ethical thing to do.

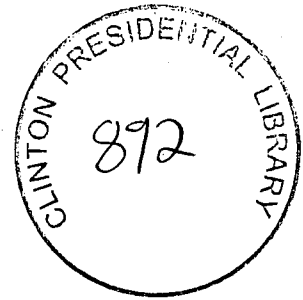


The Houston Chronicle, May 23, 1992

LANGUAGE: ENGLISH

TYPE: Editorial Opinion

LOAD-DATE-MDC: May 26, 1992



LEVEL 1 - 46 OF 90 STORIES

Copyright 1992 The Houston Chronicle Publishing Company
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May 20, 1992, Wednesday, 2 STAR Edition

SECTION: A; Pg. 19

LENGTH: 274 words

HEADLINE: Ethics panel to discuss state phone records

BYLINE: R.G. BATCLIFFE, Houston Chronicle Austin Bureau; Staff

DATELINE: AUSTIN

BODY:

AUSTIN -- The Texas Ethics Commission next month likely will discuss whether records of local calls made from state telephones should be retained for more than a week.

Commission member Isaias Torres of Houston said he will ask General Services Commission Executive Director John Pouland to explain why his agency has started the weekly destruction of state telephone records of local calls.

Pouland told the Houston Chronicle Monday the records are being destroyed as a cost saving measure to avoid the purchase of additional computer tape. Until recently, such records were kept for at least a month. Pouland said no change will be made in the retention of long-distance records.

In the past six months, examinations of the state's local telephone records have helped reveal improprieties by a Republican federal judge and Democratic employees of the General Land Office.

Pouland said he would retain the records if asked to do so by the state ethics commission.

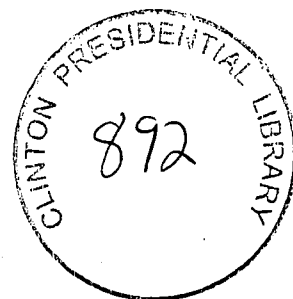
Torres said he wants Pouland to give a full explanation of the change in policy at the ethics commission's June 4 meeting.

Ethics Commission Chairman George Rayoud said he will schedule Pouland to meet with the commission if Torres asks him.

The Houston Chronicle, May 20, 1992

But Rayoud said he is not sure whether the law creating the ethics commission would give it the power to ask Poulard to keep the phone records.

"I'm not sure from a jurisdictional point of view if this falls under the ethics commission. But from a public policy point of view we might want to ask him to keep them (the records) for the period that they have been kept in the past," Rayoud said.



LANGUAGE: ENGLISH

LOAD-DATE-MDC: May 21, 1992

I

LEVEL 1 - 47 OF 90 STORIES

Copyright 1992 The Houston Chronicle Publishing Company
The Houston Chronicle

May 20, 1992, Wednesday, 2 STAR Edition

SECTION: A; Editorials; Pg. 20

LENGTH: 498 words

HEADLINE: MISCHIEF AT WORK;

State phone records now being quickly destroyed

BYLINE: Staff

BODY:

The state General Services Commission's apparently sudden decision to destroy records of local telephone calls made from state offices on a weekly rather than a monthly basis is indefensible.

These records have proven a vital tool in rooting out both political abuse and misuse of the state's resources and facilities.

Destroying them quickly is an open invitation for more telephone abuse by state employees.

Until recently, records of local phone calls from state agencies were kept for a month or more. That was a sufficient period to allow the uncovering of two recent instances of misconduct by public officials. Now that the records are destroyed after only a week, it becomes less possible to root out such misconduct. It strains credibility to believe that the two situations are entirely coincidental and an accident of timing.

John Poulard, executive director of the General Services Commission, which keeps state telephone records, claims destroying the records quickly is a cost-saving measure.

The Houston Chronicle, May 20, 1992

That may be correct, but it is irrelevant. This is a case where cost -- it is not large -- is secondary to honest government.

It is in the public interest to keep these records for longer periods, to provide sufficient time to ferret out misuse of public resources.

There is reason to suspect that the decision is driven mostly by politics and a fear of exposure of misdeeds. State agency heads and their employees have become fearful of what a review of their telephone records might reveal.

Those records enabled the Houston Chronicle to uncover significant political abuse and misuse of state telephones and state resources at the General Land Office by Land Commissioner Garry Mauro and some of his employees. A Chronicle review of the records indicated that Mauro and some of his employees had campaigned for Democratic presidential candidate Bill Clinton using state telephones on state time. The Travis County district attorney is investigating that situation in Mauro's office for possible violation of the law. Had these phone records been destroyed after only a week, there would be little evidence for the DA to go on.

Telephone records also helped Attorney General Dan Morales and federal officials make the case that U.S. District Judge James Nowlin of Austin had improper contacts with state legislators concerning the redistricting of the state Senate. That resulted in a rare reprimand of Judge Nowlin by the 5th Circuit Court of Appeals.

Pouland's records-destruction decision has no doubt made Austin agency heads breathe easier. But it does not serve the public interest. In fact, it frustrates the accountability of state officials to the public.

This has all the smell of the Austin establishment closing ranks to try to prevent any future embarrassment or revelation of misdeeds. If the General Services Commission won't reverse this cover-up for the future, then the Legislature should.

LANGUAGE: ENGLISH

TYPE: Editorial Opinion

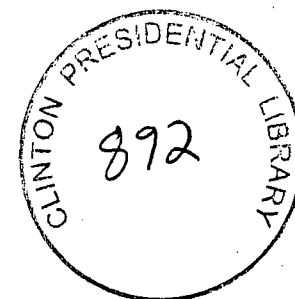
LOAD-DATE-MDC: May 21, 1992

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LEVEL 1 - 48 OF 90 STORIES

Copyright 1992 The Houston Chronicle Publishing Company
The Houston Chronicle

May 19, 1992, Tuesday, 2 STAR Edition



The Houston Chronicle, May 19, 1992

SECTION: A; Pg. 1

LENGTH: 675 words

HEADLINE: New policy shreds state telephone records weekly

BYLINE: R.G. RATCLIFFE, Houston Chronicle Austin Bureau; Staff

DATELINE: AUSTIN

BODY:

AUSTIN -- State officials now will quickly destroy the kind of telephone records that helped bring a federal judge's reprimand and revealed political abuse at the General Land Office.

Until recently, the state General Services Commission had destroyed records of local calls made from state telephones a month after the calls were made. But commission Executive Director John Pouland said the records now will be destroyed weekly as a cost-saving measure.

If that policy had been in place six months ago, two highly publicized instances of misconduct by public officials might not have been revealed.

Telephone records helped Texas Attorney General Dan Morales and federal officials make the case that U.S. District Judge James Nowlin of Austin had improper contacts with state legislators potentially involved in a state Senate redistricting lawsuit.

The 5th Circuit Court of Appeals reprimand against Nowlin could result in the U.S. Supreme Court ordering new elections in this year's state Senate primaries.

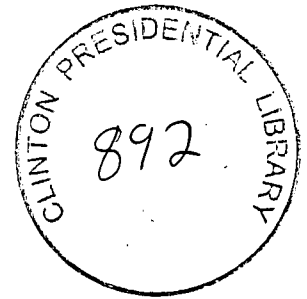
Similar General Services Commission phone documents aided the Houston Chronicle in an investigation of political misuse of the state land office by Commissioner Garry Mauro and some of his employees. The records indicated Mauro and the employees had campaigned for Democratic presidential candidate Bill Clinton using state telephones on state time.

The Travis County district attorney is investigating Mauro's office for possible criminal violations.

Pouland said the new system of local telephone record retention was developed to save the state money by using less computer tape. He also said a new state telephone system requires more computer data space, which is obtained by deleting local telephone records.

Long-distance records still will be kept for a month, he said.

Pouland said nothing in state law requires his agency to keep local telephone records. Long-distance telephone records are turned over to state agencies every month for billing purposes.



The Houston Chronicle, May 19, 1992

He admitted that reducing the time the records are kept would eliminate much of their effectiveness as an investigatory tool. But Pouland said that is not his concern.

"I don't think it's of any consequence to monitor state employees. That's what the agencies and their supervisors are for -- to make sure their employees are working. It's not our job here to be a 'Big Brother,' looking over everybody's shoulder," he said.

He said he would keep the local phone records if requested to do so by the State Ethics Commission.

A 1984 opinion of the now-defunct state Ethics Advisory Commission said "incidental" use of state telephones by state employees for local telephone calls does not represent a misapplication of funds under the state Official Misconduct Act.

But the ruling also said: "This opinion is not intended to authorize the abusive use of state telephones by state employees."

Pouland said he hopes this summer to institute a program that will block all campaign office telephone numbers from being called from all state telephones.

"Not only will Mauro's people not be allowed to call Mauro's headquarters, they shouldn't be allowed to call anybody else's campaign headquarters either," he said.

Pouland is a longtime Democratic Party activist who ran for Railroad Commission in 1986 and worked with Mauro in a 1978 U.S. Senate campaign. He was appointed to head the General Services Commission earlier this year.

Morales spokesman Gray McBride said the attorney general's office found the records useful in the redistricting case. But he said decisions on how long the records be kept are up to Pouland's agency.

Walt Borges, regional Freedom of Information director for the Society of Professional Journalists, questioned the timing of the new policy.

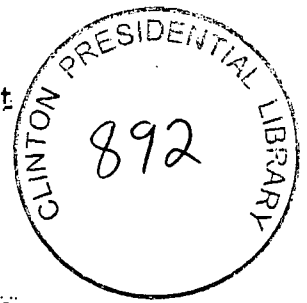
"This is sending the wrong message: 'We're not going to provide information because of what it might contain,'" Borges said. "'You have to wonder if it's being done to suppress those types of analysis.'"

LANGUAGE: ENGLISH

LOAD-DATE-MDC: May 20, 1992

LEVEL 1 - 73 OF 90 STORIES

Proprietary to the United Press International 1986.



Proprietary to the United Press International, March 10, 1986

March 10, 1986, Monday, AM cycle

SECTION: Regional News

DISTRIBUTION: Texas

LENGTH: 526 words

BODY:

Sharp accuses Pouland of inflating campaign contribution reports> By MARK LANGFORD AUSTIN, Texas (UPI) -- State Sen. John Sharp, a candidate for the Railroad Commission, Monday accused Democratic opponent John Pouland of deceiving voters and his own supporters by inflating the amount of campaign contributions he has received.

Sharp, D-Victoria, said he asked the Travis County district attorney and the Texas Ethics Commission to investigate Pouland's listing of a \$100,000 contribution on his campaign finance report.

Sharp said he received a bank statement and an anonymous letter claiming that Pouland never received or intended to receive the money.

"Apparently, he (Pouland) has no financial support, and his whole candidacy is based on a fraud perpetrated on the people of Texas," Sharp said.

Pouland countered that he did have possession of the contributions, in the form of three checks from personal friends. At a news conference last month, Pouland said he would return the money if Sharp agreed that both men should reduce campaign contributions and expenditures. "I did not deposit them (checks)," Pouland said. "Instead, I held on to them in the thinking that if Sharp agreed to the campaign finance limitations I later proposed, I would be required to return the checks. I included them on my campaign report because I was required to by law."

But Sharp charged that Pouland never intended to accept the money and falsely included the \$100,000 on his campaign finance report to make him look like a more viable candidate.

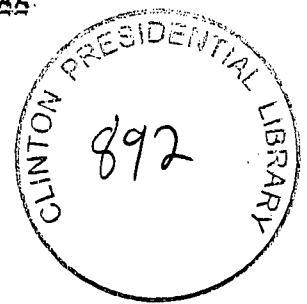
Sharp claimed that Pouland admitted to Jim Warren of the Beaumont Enterprise that listing the money on the report was a "game" to show that he had some financial support.

"John Pouland is asking Texans to trust him with one of the most powerful offices in state government, while admitting that he lied not just to the people of Texas, but he deceived his own supporters as well," Sharp said.

The anonymous letter to Sharp and some members of the news media was written by someone who claimed they worked in Pouland's campaign but was never paid.

"Most of the report was a total fraud," the letter said. "At the end of December, Mr. Pouland called three friends and asked them if he could use their names designating huge sums of money from them as contributors to his campaign."

"I discovered that this money in sums of \$50,000, \$25,000 and \$25,000 was never received and never intended to be received. John Pouland used these fake



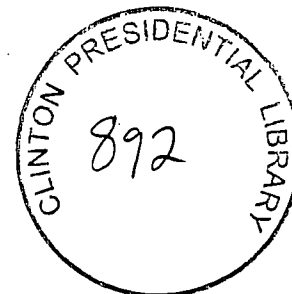
Proprietary to the United Press International, March 10, 1986.

contributions to make himself look like a credible candidate. He lied to his friends and others in seeking support by telling them had this money. In fact, he had only collected \$26,000 at the end of 1985," the letter said.

Pouland said the contributions were available to him and are still available.

"I don't want to accept them, partly because, as I have outlined before, I don't believe contributions of that size are healthy for our political system, and partly because accepting them would let Sharp off the hook in terms of his refusal to comply with the reforms that I and two other Democratic opponents have agreed to," Pouland said.

LANGUAGE: ENGLISH



LEVEL 1 - 1 OF 1 CASE

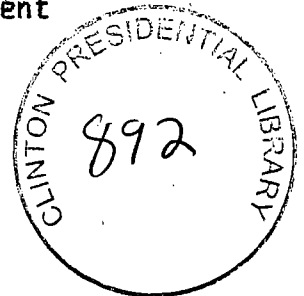
GREGORY A. WITHERSPOON, Relator, v. JOHN POULAND, Respondent

WITHERSPOON v. POULAND

No. 05-90-00063-CV

Court of Appeals of Texas, Fifth District, Dallas

784 S.W.2d 951; 1990 Tex. App. LEXIS 594



February 8, 1990

PRIOR HISTORY: [**1]

ORIGINAL PROCEEDING FOR WRIT OF MANDAMUS, Dallas County, Texas.

COUNSEL: ELIOT D. SHAVIN, for Relator.

*Writ of Mandamus
issued*

JOHN POULAND, PRO SE.

JUDGES: Baker, Rowe and Burnett, J.J.

OPINIONBY: BAKER

OPINION: [*951] OPINION

This is an original mandamus proceeding by which relator, Gregory A. Witherspoon, seeks to compel the respondent, John Pouland, Chair of the Dallas County Democratic Party, to place relator's name on the Democratic Party primary ballot for the position of Dallas County Democratic Party Chair.

[*952] In his petition and at oral argument, relator alleged that he timely filed his application with respondent seeking to have his name placed on the ballot as a candidate for the office of Dallas County Democratic Chair in accordance with the provisions of section 52.003 of the Texas Election Code. n1 Relator received a letter from respondent dated January 12, 1990, rejecting relator's application on the ground that "probable cause exists to believe that said application contains a false oath." By letter dated January 17, 1990, relator requested respondent to state in writing the specific reasons for the rejection of relator's application. By letter dated January 18, 1990, respondent informed relator that it was well-known that relator [**2] was a follower of Lyndon LaRouche. Respondent further stated it is well documented that Lyndon LaRouche advocates the abolition of the democratic form of government which now exists in the United States. Respondent's determination was that relator could not, consistent with relator's well-known support of Lyndon LaRouche, support the laws and constitutions of the State of Texas and the United States and that support of the laws and constitutions is a requisite for candidacy under the Democratic Party Bylaws. Respondent's conclusion was that relator's oath of support in his application was untruthful.

-----Footnotes-----

n1. TEX. ELECTION CODE ANN. (Vernon 1986), hereinafter referred to as the Code.



-----End Footnotes-----

Respondent does not deny that relator timely filed his application in accordance with the Code provisions. Respondent alleges, however, that relator's petition should be dismissed and asserts three grounds: (1) there are fact disputes which require relator to first seek judicial relief in the district court; (2) the documents relator submitted with his petition for mandamus are not properly authenticated; and (3) relator's petition is fatally defective because it does not comply with the requirements of [**3] rule 121 of the Texas Rules of Appellate Procedure.

Respondent first contends that this Court is without jurisdiction because there exists disputed fact questions. See *West v. Solito*, 563 S.W.2d 240, 245 (Tex. 1978). Respondent concedes that relator's application contains his oath to support the constitutions and laws of both Texas and the United States. However, respondent asserts that he has determined by independent investigation that relator supports Lyndon LaRouche who espouses principles contrary to the Constitution of the United States. Respondent contends that the validity of relator's oath presents a disputed fact issue which requires a judicial determination. We disagree. What this Court is called upon to determine is a legal question, that of whether respondent was clothed with the power to raise and determine an issue of fact by controverting the allegations contained in relator's application and then deciding the issue so raised. This is not a situation of a disputed fact issue. We reject respondent's contention that we are without jurisdiction because of disputed facts. See *Baker v. Porter*, 160 Tex. 488, 333 S.W.2d 594, 595 (1960); *Ferris v. Carlson* 158 Tex. [**4] 546 314 S.W.2d 577, 579 (1958); *Parker v. Brown*, 425 S.W.2d 379, 381 (Tex. Civ. App.--Tyler 1968, orig. proceeding); *Ramsey v. Marlowe*, 376 S.W.2d 438, 439 (Tex. Civ. App.--Tyler 1964, orig. proceeding).

Respondent's second ground for dismissal is that the documents relator attached to his petition are not properly authenticated. Respondent relies upon *Wright v. Valderas*, 575 S.W.2d 405 (Tex. Civ. App.--Fort Worth 1978, orig. proceeding), as authority for this assertion. In *Wright*, it appears that the relator did not attach any exhibits to her petition for mandamus except an affidavit of a deputy district clerk. There were no authenticated copies of court orders, a docket sheet, certificate, or even a letter in explanation for the trial court's action for which the complaint was raised. Also, in *Wright*, there were no affidavits by the relator in support of her allegation of the trial court's improprieties. The *Wright* court held that the facts needed to be supported by authenticated copies of pertinent papers from the district or county clerks, certificates of court officials including the judge, and affidavits in verification [**5] of material facts made a part of [**5] the petition and of the exhibits desired to be considered as evidence. See *Wright*, 575 S.W.2d at 407. In this case, relator swore to the petition personally. Relator swears that every factual allegation contained in the petition is true and correct. The petition recites that a true and correct copy of his application to respondent is attached as Exhibit "A" and that a copy of respondent's rejection letter is attached as "Exhibit "B."

Supporting documents must be certified or sworn to. TEX. R. APP. P. 121(a)(2)(C). *Wright v. Valderas*, 575 S.W.2d at 407. Respondent only generally asserts that the documents are not properly authenticated. He does not challenge relator's sworn petition, which alleges that the exhibits are true and correct

784 S.W.2d 951, *953; 1990 Tex. App. LEXIS 594, **5

copies. Additionally, we note that Exhibit "C" attached to respondent's sworn response is the same exhibit as relator's Exhibit "B." We hold that relator's exhibits are verified to the extent that they comply with Texas Rule of Appellate Procedure 121(a)(2)(C). See *Smith v. Caldwell*, 754 S.W.2d 692, 693-94 (Tex. App.--Houston [1st Dist.] 1987, orig. proceeding); *Johnson v. Hughes*, 663 S.W.2d 11, 12 (Tex. App.--Houston [1st Dist.] 1983, [**61] orig. proceeding); *Wright*, 575 S.W.2d at 407.

In respondent's third ground for dismissal, he contends that relator's petition is fatally defective because it does not comply with Texas Rule of Civil Procedure 121(a)(2)(C). Respondent argues that relator's petition fails to set forth in a concise and positive manner all facts necessary to establish relator's right to the relief sought. We disagree. In our view, the petition does comply with the requirements of the rule. See TEX. R. APP. P. 121(a)(2)(C). We overrule respondent's motions to dismiss.

We now consider the merits of the controversy. At oral argument, respondent, for the first time, raised the claim that because relator sought a party office and not a public office, the provisions of the Election Code did not preempt the Democratic Party rules and his actions in enforcing those rules. Respondent relies upon section 161.001 of the Code which provides that a political party retains all of its inherent powers except as limited by the Code. Respondent argues that because this section permits a party to retain all of its inherent powers, this permits the party to adopt its own rules and further permits him as Dallas County [**7] Democratic Chair to enforce those rules without being subject to any statutory standard established by other portions of the Code. We disagree.

Respondent's interpretation of section 161.001 fails to take into account the fact that it provides that a party retains all its inherent powers "except as limited by the Code" (emphasis added). Additionally, section 163.003 provides that the rules adopted by a political party must be consistent with state law. In our view, party rules and the actions of party officials must be consistent with and limited by the provisions of the Election Code and other applicable statutes. We hold that respondent's performance of his duties as Dallas County Democratic Party Chair in enforcing the laws of the State of Texas and the rules of the Democratic Party are subject to the provisions of the Election Code, including section 145.003 regarding the eligibility of candidates for nomination on the primary ballot.

Respondent asserts in this proceeding that relator's disqualification is proper because: (1) the oath taken by relator in his application is inconsistent with other facts--that is, because relator is an alleged follower of the beliefs of Lyndon [**8] LaRouche, relator's oath that he will uphold the constitutions and laws of the State of Texas and the United States is false; and (2) that respondent has reason to believe, based on relator's conduct, that relator will refuse to support the Democratic Party's nominees.

The grounds asserted by respondent as the reasons for relator's ineligibility for a place on the ballot must be reviewed in light of the provisions of Code section 145.003. Section 145.003(f) provides that a candidate may be declared ineligible only if: (1) the information on the candidate's application [**954] for a place on the ballot indicates that the candidate is ineligible for the office; or (2) facts indicating that the candidate is ineligible are conclusively established by another public record. Respondent does not assert

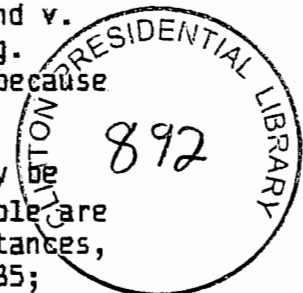
that relator's application contains information that indicates that relator is ineligible. There is no dispute that relator's application is in proper form and contains the information required for applications by Code section 141.031. Consequently, section 145.003(f)(1) does not apply.

The issue is whether the facts allegedly relied upon by respondent that relator is ineligible were conclusively [**9] established by another public record. Attached to respondent's pleading are three exhibits upon which respondent relied and which he contends conclusively establish the facts that relator is ineligible. Exhibit "A" is a memorandum which was prepared at respondent's own direction. This memorandum states that relator is a well-known supporter of Lyndon LaRouche and that LaRouche's philosophy holds for the abolition of democracy in the United States. Therefore, because relator is a LaRouche adherent, the oath that he took on his application is untrue and relator is ineligible for a place on the Democratic Primary ballot. Attached to respondent's memorandum are copies of pages of a biography of Lyndon LaRouche authored by Dennis King. The other exhibit relied upon by respondent is a photocopy of an article contained in the Saturday, January 13, 1990 edition of the Dallas Morning News.

Respondent argues that section 145.003(c) of the Code empowers him as Democratic County Chairman to declare a potential candidate ineligible if other facts establish ineligibility. Respondent argues that facts inconsistent with those alleged on the application cannot be ignored and that it is entirely appropriate [**10] for the ballot placement authority to inquire into those facts. In support of his action and as authority therefor, respondent relies upon *Hayes v. Harris County Democratic Executive Committee*, 563 S.W.2d 884 (Tex. Civ. App.--Houston [14th Dist.] 1978, orig. proceeding), and *McClelland v. Sharp*, 430 S.W.2d 518 (Tex. Civ. App.--Houston [14th Dist.] 1968, orig. proceeding). Respondent's reliance on these authorities is misplaced because those cases are distinguishable from the case before us.

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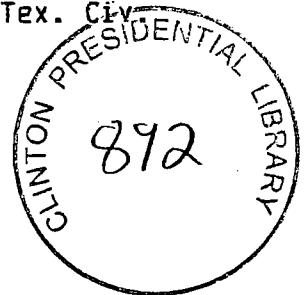


784 S.W.2d 951, *954; 1990 Tex. App. LEXIS 594, **11

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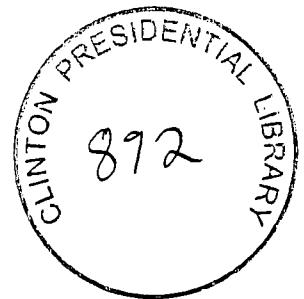
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LEVEL 1 - 1 CASE

1. GREGORY A. WITHERSPOON, Relator, v. JOHN POULAND, Respondent, No.
05-90-00063-CV, Court of Appeals of Texas, Fifth District, Dallas, 784 S.W.2d
951; 1990 Tex. App. LEXIS 594, February 8, 1990



Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Guy Taylor to Kathi Walen re: SES appointment (partial) (1 page)	~~12/6/1996~~	~~P6A(6)~~
002a. cover sheet	Vetting form - Lexis/Nexis (1 page)	01/03/1997	P5 893
002b. report	Search Request (1 page)	01/13/1997	P5 894
002c. report	Search Request (6 pages)	01/03/1997	P5 895
002d. report	Search Request (1 page)	01/13/1997	P5 896
002e. report	Search Request (2 pages)	01/15/1997	P5 897
002f. report	Search Request (2 pages)	01/15/1997	P5 898
002g. articles	Annotated Lexis Nexis articles (1992, 1995 - 1996) (24 pages)	1995-1996	P5 899
002h. report	Search Report (3 pages)	01/15/1997	P5 900
002i. articles	Annotated Lexis Nexis articles (1982, 1992, 1994) (10 pages)	82,92,94	P5 901
002j. report	Search Report (3 pages)	01/15/1997	P5 902
002k. article	Annotated Lexis Nexis article (3 pages)	10/24/1996	P5 903
002l. article	Annotated Lexis Nexis article (2 pages)	11/02/1996	P5 904

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Reynolds, Stacy
OA/Box Number: 10375

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Pouland, John [1]

Dana Simmons
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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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WHITE HOUSE COUNSEL**

Recommendation: Research reveals
major issues which should be
a problem. (92)

CANDIDATE: John C. Portland
POSITION: Regional Administrator Region 7 General Services Administration
RESEARCHER: James Regan
DATE: 1/3/97

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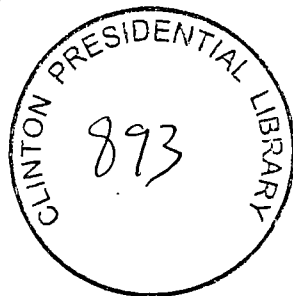
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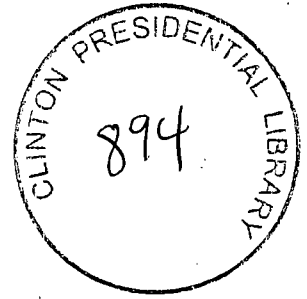
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GENERAL COUNSEL STAFF
OLD EXECUTIVE OFFICE BUILDING
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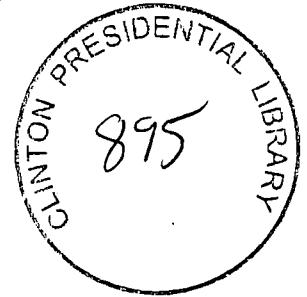
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LEVEL 1 - 1 OF 2 CASES

GREGORY A. WITHERSPOON, Relator, v. JOHN POULAND, Respondent

No. 05-90-00063-CV

Court of Appeals of Texas, Fifth District, Dallas

784 S.W.2d 951; 1990 Tex. App. LEXIS 594

February 8, 1990

R HISTORY: [**1]

INAL PROCEEDING FOR WRIT OF MANDAMUS, Dallas County, Texas.

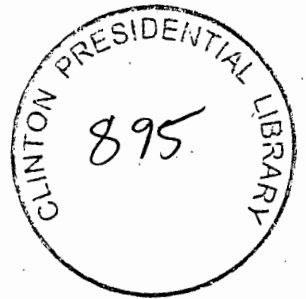
ISEL: ELIOT D. SHAVIN, for Relator.

JOHN POULAND, PRO SE.

GES: Baker, Rowe and Burnett, J.J.

NIONBY: BAKER

INION: [*951] OPINION



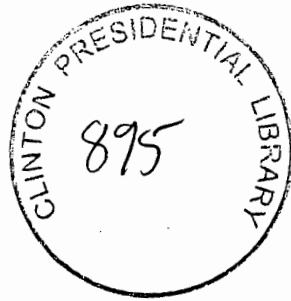
This is an original mandamus proceeding by which relator, Gregory A. Witherspoon, seeks to compel the respondent, John Pouland, Chair of the Dallas County Democratic Party, to place relator's name on the Democratic Party primary ballot for the position of Dallas County Democratic Party Chair.

[*952] In his petition and at oral argument, relator alleged that he timely filed his application with respondent seeking to have his name placed on the ballot as a candidate for the office of Dallas County Democratic Chair in accordance with the provisions of section 52.003 of the Texas Election Code. n1 Relator received a letter from respondent dated January 12, 1990, rejecting relator's application on the ground that "probable cause exists to believe that said application contains a false oath." By letter dated January 17, 1990, relator requested respondent to state in writing the specific reasons for the rejection of relator's application. By letter dated January 18, 1990, respondent informed relator that it was well-known that relator [**2] was a follower of Lyndon LaRouche. Respondent further stated it is well documented that Lyndon LaRouche advocates the abolition of the democratic form of government which now exists in the United States. Respondent's determination was that relator could not, consistent with relator's well-known support of Lyndon LaRouche, support the laws and constitutions of the State of Texas and the United States and that support of the laws and constitutions is a requisite for candidacy under the Democratic Party Bylaws. Respondent's conclusion was that relator's oath of support in his application was untruthful.

-----Footnotes-----

n1. TEX. ELECTION CODE ANN. (Vernon 1986), hereinafter referred to as the Code.

-----End Footnotes-----

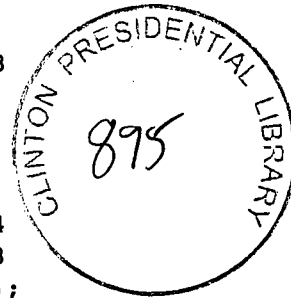


Respondent does not deny that relator timely filed his application in accordance with the Code provisions. Respondent alleges, however, that relator's petition should be dismissed and asserts three grounds: (1) there are fact issues which require relator to first seek judicial relief in the district court; (2) the documents relator submitted with his petition for mandamus are properly authenticated; and (3) relator's petition is fatally defective because it does not comply with the requirements of [**3] rule 121 of the Texas Rules of Appellate Procedure.

Respondent first contends that this Court is without jurisdiction because there exists disputed fact questions. See *West v. Solito*, 563 S.W.2d 240, 245 (Tex. 1978). Respondent concedes that relator's application contains his oath to support the constitutions and laws of both Texas and the United States. However, respondent asserts that he has determined by independent investigation that relator supports Lyndon LaRouche who espouses principles contrary to the Constitution of the United States. Respondent contends that the validity of relator's oath presents a disputed fact issue which requires a judicial determination. We disagree. What this Court is called upon to determine is a legal question, that of whether respondent was clothed with the power to raise and determine an issue of fact by controverting the allegations contained in relator's application and then deciding the issue so raised. This is not a situation of a disputed fact issue. We reject respondent's contention that we are without jurisdiction because of disputed facts. See *Baker v. Porter*, 160 Tex. 488, 333 S.W.2d 594, 595 (1960); *Ferris v. Carlson* 158 Tex. [**4] 546 (1964) S.W.2d 577, 579 (1958); *Parker v. Brown*, 425 S.W.2d 379, 381 (Tex. Civ. App.--Tyler 1968, orig. proceeding); *Ramsey v. Marlowe*, 376 S.W.2d 438, 439 (Tex. Civ. App.--Tyler 1964, orig. proceeding).

Respondent's second ground for dismissal is that the documents relator attached to his petition are not properly authenticated. Respondent relies upon *Wright v. Valderas*, 575 S.W.2d 405 (Tex. Civ. App.--Fort Worth 1978, orig. proceeding), as authority for this assertion. In *Wright*, it appears that the relator did not attach any exhibits to her petition for mandamus except an affidavit of a deputy district clerk. There were no authenticated copies of court orders, a docket sheet, certificate, or even a letter in explanation for the trial court's action for which the complaint was raised. Also, in *Wright*, there were no affidavits by the relator in support of her allegation of the trial court's improprieties. The *Wright* court held that the facts needed to be supported by authenticated copies of pertinent papers from the district or county clerks, certificates of court officials including the judge, and affidavits in verification [*953] of material facts made a part of [**5] the petition and of the exhibits desired to be considered as evidence. See *Wright*, 575 S.W.2d at 407. In this case, relator swore to the petition personally. Relator swears that every factual allegation contained in the petition is true and correct. The petition recites that a true and correct copy of his application to respondent is attached as Exhibit "A" and that a copy of respondent's rejection letter is attached as "Exhibit B."

Supporting documents must be certified or sworn to. TEX. R. APP. P. 121(a)(2)(C). *Wright v. Valderas*, 575 S.W.2d at 407. Respondent only generally asserts that the documents are not properly authenticated. He does not challenge relator's sworn petition, which alleges that the exhibits are true and correct copies. Additionally, we note that Exhibit "C" attached to respondent's sworn



response is the same exhibit as relator's Exhibit "B." We hold that relator's exhibits are verified to the extent that they comply with Texas Rule of Appellate Procedure 121(a)(2)(C). See Smith v. Caldwell, 754 S.W.2d 692, 693-94 (Tex. App.--Houston [1st Dist.] 1987, orig. proceeding); Johnson v. Hughes, 663 S.W.2d 11, 12 (Tex. App.--Houston [1st Dist.] 1983, [**6] orig. proceeding); Wright, 575 S.W.2d at 407.

In respondent's third ground for dismissal, he contends that relator's petition is fatally defective because it does not comply with Texas Rule of Civil Procedure 121(a)(2)(C). Respondent argues that relator's petition fails to set forth in a concise and positive manner all facts necessary to establish relator's right to the relief sought. We disagree. In our view, the petition does comply with the requirements of the rule. See TEX. R. APP. P. 121(a)(2)(C). We overrule respondent's motions to dismiss.

We now consider the merits of the controversy. At oral argument, respondent, for the first time, raised the claim that because relator sought a party office and not a public office, the provisions of the Election Code did not preempt the Democratic Party rules and his actions in enforcing those rules. Respondent relies upon section 161.001 of the Code which provides that a political party retains all of its inherent powers except as limited by the Code. Respondent argues that because this section permits a party to retain all of its inherent powers, this permits the party to adopt its own rules and further permits him as Dallas County [**7] Democratic Chair to enforce those rules without being subject to any statutory standard established by other portions of the Code. We disagree.

Respondent's interpretation of section 161.001 fails to take into account the fact that it provides that a party retains all its inherent powers "except as limited by the Code" (emphasis added). Additionally, section 163.003 provides that the rules adopted by a political party must be consistent with state law. In our view, party rules and the actions of party officials must be consistent with and limited by the provisions of the Election Code and other applicable statutes. We hold that respondent's performance of his duties as Dallas County Democratic Party Chair in enforcing the laws of the State of Texas and the rules of the Democratic Party are subject to the provisions of the Election Code, including section 145.003 regarding the eligibility of candidates for nomination on the primary ballot.

Respondent asserts in this proceeding that relator's disqualification is proper because: (1) the oath taken by relator in his application is inconsistent with other facts--that is, because relator is an alleged follower of the beliefs of Lyndon [**8] LaRouche, relator's oath that he will uphold the constitutions and laws of the State of Texas and the United States is false; and (2) that respondent has reason to believe, based on relator's conduct, that relator will refuse to support the Democratic Party's nominees.

The grounds asserted by respondent as the reasons for relator's ineligibility for a place on the ballot must be reviewed in light of the provisions of Code section 145.003. Section 145.003(f) provides that a candidate may be declared ineligible only if: (1) the information on the candidate's application [**954] for a place on the ballot indicates that the candidate is ineligible for the office; or (2) facts indicating that the candidate is ineligible are conclusively established by another public record. Respondent does not assert that relator's application contains information that indicates that relator is

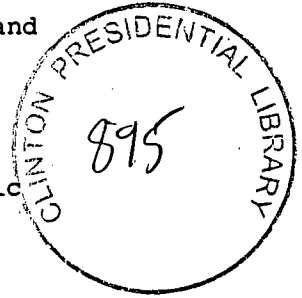
ineligible. There is no dispute that relator's application is in proper form and contains the information required for applications by Code section 141.031. Consequently, section 145.003(f)(1) does not apply.

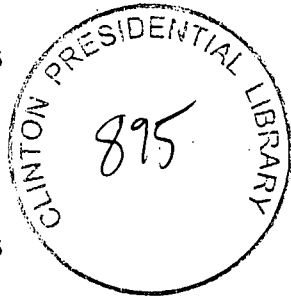
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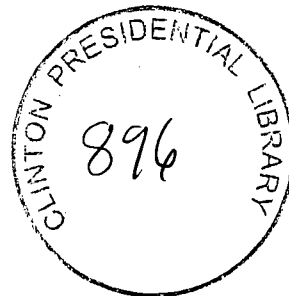
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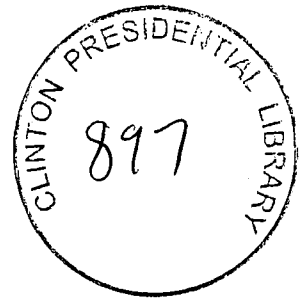
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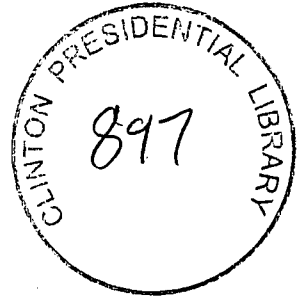
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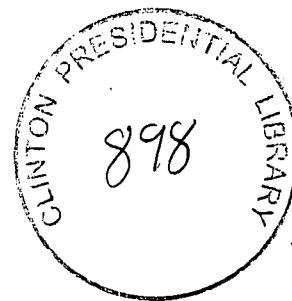
1. The Houston Chronicle, September 5, 1992, Saturday, 2 STAR Edition, A; Pg. 34, 386 words, State agencies chose only 15 black vendors, JO ANN ZUNIGA; Staff, Texas



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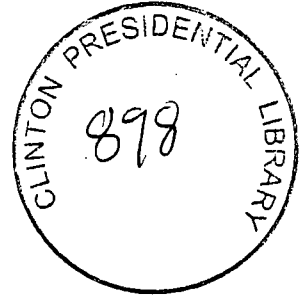
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LEVEL 1 - 1 STORY

1. The Houston Chronicle, July 6, 1992, Monday, 2 STAR Edition, B; Editorials;
Pg. 6, 380 words, COVER-UP AT WORK; Lawmakers now need to preserve state phone
records, Staff, Texas



1ST STORY of Level 1 printed in FULL format.

Copyright 1996 The Dallas Morning News
THE DALLAS MORNING NEWS

November 6, 1996, Wednesday, HOME FINAL EDITION

SECTION: NEWS; Pg. 38A

LENGTH: 631 words

HEADLINE: Republican Sessions beating Pouland;
GOP candidate declares victory, but Democrat refuses to concede vote

BYLINE: Sherry Jacobson, Staff Writer of The Dallas Morning News

BODY:

Votes in southern half

of district may be key

Republican Pete Sessions declared victory Tuesday night after maintaining a comfortable lead over Democrat John Pouland in the 5th Congressional District race.

With almost 62 percent of the votes counted in the 11-county district, Mr. Sessions was leading by 53 percent to Mr. Pouland's 47 percent.

In his victory speech before hundreds of cheering Republicans, Mr. Sessions said he will "continue the revolution that was started two years ago" when his party took control of the House and Senate.

He promised to work for a balanced budget and to maintain Social Security and Medicare.

Mr. Pouland refused to concede defeat late Tuesday even as Mr. Sessions was preparing to become the first Republican to hold the 5th District seat in two decades.

"He may think he won, but the votes aren't counted yet," said Mr. Pouland, a former head of the Dallas County Democratic Committee. "I won't concede to anybody and then wake up tomorrow morning and find out I've won."

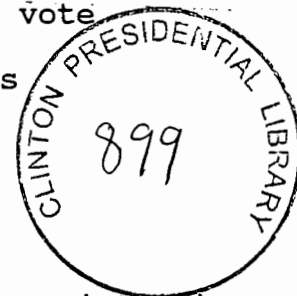
Mr. Pouland said he was waiting until results arrive from the southern half of the district in hopes of balancing his loss in Dallas County. With almost 100 percent of those votes counted, he was down 56 percent to 44 percent.

Signs of an apparent Sessions victory came early as 59 percent of the early voting in the 11-county district went to the Republican.

John Marlow, campaign manager for Mr. Sessions, predicted that it would be difficult for Mr. Pouland to make up that 5,000-vote deficit in votes from the more heavily Democratic lower counties.

The 5th District includes parts of Dallas, Kaufman and Brazos counties and all of Henderson, Anderson, Freestone, Limestone, Leon, Robertson and Madison counties.

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THE DALLAS MORNING NEWS, November 6, 1996

This was Mr. Sessions' third bid for a seat in Congress and his second attempt in the 5th District. Two years ago, he lost by less than 3 percent of the vote to Democrat John Bryant, who did not seek an eighth term.

The Dallas Republican was clearly helped by the redrawing of the 5th District's boundaries in August, which effectively wiped out many of the votes that pushed Mr. Bryant to victory in 1994.

Democratic strongholds in Pleasant Grove and Garland were replaced by the solid Republican territories in the Lake Highlands, Lakewood and White Rock Lake neighborhoods.

Mr. Sessions said he did not think the change was a serious factor because he was "grossly ahead" of Mr. Pouland at that point.

"The margin of victory that we got now is the nice part," he added.

Mr. Pouland, who loudly protested the Supreme Court-ordered redistricting, said "Only a moron would think this didn't make a critical difference."

The district's Democratic majority was reduced from 55.3 percent to 51.5 percent. The redistricting forced the race into a special election, but the 41-year-old retired Southwestern Bell manager says he was able to spend a lot of time going door-to-door in the new area.

Mr. Pouland's campaign spent an estimated \$ 525,000 compared to more than \$ 900,000 by the Sessions campaign, a quarter of which went to his primary win over former Dallas City Council member Glenn Box.

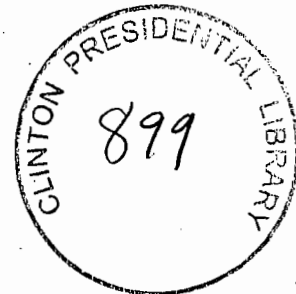
The special election campaign was marked by acrimony on both sides. Mr. Pouland accused Mr. Sessions of mislabeling his campaign contributions and switching his position on abortion, supporting abortion rights in 1991 and opposing them in two subsequent congressional races.

In turn, Mr. Sessions criticized Mr. Pouland, formerly a criminal lawyer, for having defended people on drug charges. The Republican also faulted the labor-dominated campaign contributions to his Democratic opponent, including money from the Laborer's International Union of North America, which has long been investigated for ties to organized crime.

GRAPHIC: PHOTO(S): 1. Pete Sessions. (COVER) (2. DMN: John F. Rhodes) Republican congressional candidate Pete Sessions rushes from TV interviews on Election Night to another meeting at the Fairmont Hotel. He was leading his Democrat John Pouland, with almost 62 percent of the vote counted.

LANGUAGE: ENGLISH

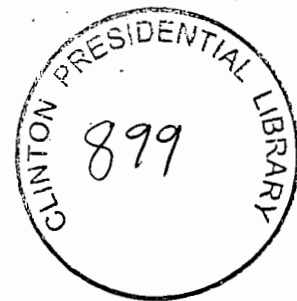
LOAD-DATE: November 16, 1996



4TH STORY of Level 1 printed in FULL format.

Copyright 1996 The Dallas Morning News
THE DALLAS MORNING NEWS

October 30, 1996, Wednesday, HOME FINAL EDITION



SECTION: NEWS; Pg. 31A

LENGTH: 495 words

HEADLINE: Sessions calls donations troubling' Pouland defends money given by labor union

BYLINE: Sherry Jacobson, Staff Writer of The Dallas Morning News

BODY:

Fifth District congressional candidate Pete Sessions joined Republicans across the country this week in criticizing Democrats for accepting campaign contributions from a labor union that they allege has ties to organized crime.

Mr. Sessions' opponent, Democrat John Pouland, has accepted \$ 5,000 from a political action committee of Laborer's International Union of North America, according to statements filed with the Federal Election Commission.

Mr. Sessions called the contributions "troubling" in a statement released Tuesday. He called the group "not your normal labor union" because "it is controlled by organized crime."

Mr. Pouland defended the contribution, half of which arrived last week, and insisted that the union has been working to rid itself of any corruption.

"The union has cleaned up its act," Mr. Pouland said. "The laborers who support me are the ones who work down here and barely earn minimum wage."

The 400,000-member union has been investigated extensively by the U.S. Justice Department, according to a 1994 complaint. Last year, the union agreed to work with the department to try to rid itself of any illegal activities, officials said.

Mr. Sessions' accusation is part of a national GOP effort to draw attention to the union's political contributions, most of which went to Democrats this year, according to press reports.

Republican candidates from Maine to Indiana to Arizona have voiced criticism similar to Mr. Sessions' statement.

"Voters must ask, What did Mr. Pouland have to promise to receive his \$ 5,000 from this labor union?" Mr. Sessions said. The union "has been infiltrated at all levels by corrupt individuals and organized crime figures who have exploited their control and influence over the union for personal gain to the detriment of the union."

In response, Mr. Pouland criticized Mr. Sessions for taking \$ 40,000 from "tobacco interests," of which \$ 4,000 came last week from Philip Morris' political action committee.

THE DALLAS MORNING NEWS, October 30, 1996

"It's complete hypocrisy for him to attack me," said Mr. Pouland. "It's not like he's coming here with clean hands."

In turn, Sessions campaign manager John Marlow accused Mr. Pouland of accepting "\$ 25,000 or more" to act as an Austin lobbyist for Phillip Morris. As proof, Mr. Marlow produced a copy of a 1992 affidavit, signed by Mr. Pouland, in which the Democrat acknowledged taking a retainer from Phillip Morris, U.S.A. in a financial disclosure statement for a government job.

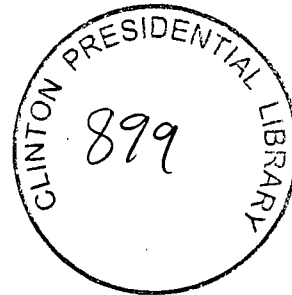
Mr. Pouland could not be reached for comment on that payment.

As the race enters its final week, Mr. Sessions reported \$ 836,143 in contributions to his campaign, his second effort to win the 5th District seat. About \$ 250,000 was spent on his successful primary race against former Dallas City Council member Glenn Box, said Mr. Marlow.

Mr. Pouland has raised \$ 459,761 in his first congressional bid and has spent most of it since the primary, according to his campaign staff.

LANGUAGE: ENGLISH

LOAD-DATE: November 1, 1996



6TH STORY of Level 1 printed in FULL format.

Copyright 1996 The Dallas Morning News
THE DALLAS MORNING NEWS

February 23, 1996, Friday, HOME FINAL EDITION

SECTION: EDITORIALS; EDITORIALS; Pg. 20A

LENGTH: 466 words

HEADLINE: ENDORSEMENTS;

Chapman is best choice to challenge Gramm

BODY:

Since early voting in the primary elections is under way, The Dallas Morning News is presenting its readers a series of recommendations of the most qualified candidates. This newspaper hopes that these endorsements, based on candidate interviews and research, will help our readers in scrtinizing the candidates.

There is still adequate time for voters to listen to the candidates, study the issues and go to the polls with a better understanding of what will be at stake.

Today, we are endorsing candidates for Congress in the Democratic primary.

U.S. SENATE

Democrats should nominate Rep. Jim Chapman to face Sen. Phil Gramm in November's Senate race. A former East Texas district attorney, Mr. Chapman has served in the U.S. House since 1986. The word "moderate" is used over and over to describe the Sulphur Springs Democrat. He takes pride in working on both conservation issues and balanced budgets. Some East Texans also note his devotion to constituents.

Yes, Mr. Chapman had a rendezvous with infamy, appearing on lists about legislators who take congressional junkets. But Democrats should not ignore his practical mindset. Never flashy, Mr. Chapman cites his ability to work with Republicans and Democrats. That's important. He has provided admirable teamwork with other elected officials on issues ranging from base closings to mass transit funding. Mr. Chapman's campaign is statewide, making a play for votes from the Valley to the Panhandle.

U.S. HOUSE District 5

Dallas lawyer John Pouland is the most qualified Democrat to compete for retiring U.S. Rep. John Bryant's seat. The Democratic race, however, is not sharply contested. The real race comes in November, when Mr. Pouland will face a GOP nominee.

Mr. Pouland is running as a moderate, pledging to eliminate the Commerce and Energy Departments and supports term limits. But the former General Services Administration regional director also has been a Dallas Democratic County chairman and protege of incumbent John Bryant. His sharply partisan background raises questions about whether he actually would be a moderate representative, but primary voters should give him the chance to prove his positions.



THE DALLAS MORNING NEWS, February 23, 1996

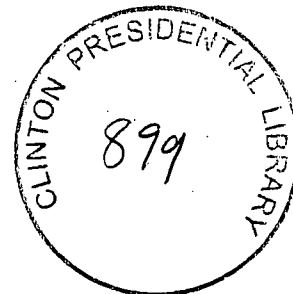
District 6

Janet Carroll Richardson is the recommended Democrat competing for this Texas congressional seat. She will be running up a steep hill come November, given incumbent GOP Rep. Joe Barton's stature.

But Ms. Richardson is developing a reputation for her television work, having produced the acclaimed "Unsung Heroes" series. The show depicts ordinary people affecting their communities. Ms. Richardson believes this experience gives her insight into local needs. She has held no previous office, although she has worked with Democratic politicians for some time.

LANGUAGE: ENGLISH

LOAD-DATE: February 24, 1996



8TH STORY of Level 1 printed in FULL format.

Copyright 1995 The Dallas Morning News
THE DALLAS MORNING NEWS

December 30, 1995, Saturday, HOME FINAL EDITION

SECTION: NEWS; Pg. 29A

LENGTH: 594 words

HEADLINE: List of congressional hopefuls grows Ex-Democratic chief Pouland will seek Rep. Bryant's seat

BYLINE: Lori Stahl, Staff Writer of The Dallas Morning News

BODY:

Former Dallas County Democratic Chairman John Pouland confirmed Friday that he will run for the 5th Congressional District seat being vacated by U.S. Rep. John Bryant.

"Barring something unforeseen, I will be announcing in Austin on Tuesday," Mr. Pouland said.

His comments, just days before Tuesday's primary filing deadline, put an end to speculation about whether local Democrats would field even one candidate to succeed Mr. Bryant, a Dallas Democrat.

Dallas City Council member Chris Luna said Friday that he is still undecided about whether to run for the seat.

Mr. Bryant, who has represented the district for 12 years, is running in the Democratic primary hoping to unseat Texas Sen. Phil Gramm in the November general election.

The prospect of an open congressional seat in Dallas caught some Democrats off-guard because they expected Mr. Bryant to seek re-election. His 11th-hour announcement prompted a flurry of activity among potential Democratic successors.

Campaigning has already begun in the Republican primary contest for the 5th District. Businessman Pete Sessions, who garnered 48 percent of the vote when he challenged Mr. Bryant in 1994, will face former Dallas City Council member Glenn Box in the GOP primary.

Mr. Pouland, a regional administrator for the General Services Administration, said he will have to quit his post to run for Congress. He is serving as a Clinton administration appointee based in Fort Worth.

Mr. Pouland, who ran unsuccessfully for Texas railroad commissioner in 1986, acknowledged that he has been renting a house in Fort Worth during the past year. But he said he is a lifetime 5th District resident who went to high school there, still owns property there and votes in the district.

He said that he wants to run an issues-oriented campaign, focused primarily on balancing the federal budget and campaign finance reform.



THE DALLAS MORNING NEWS, December 30, 1995

He supports retroactive term limits and said federal budget-cutters should be careful that they don't hurt the most vulnerable Americans. Although he is a Clinton appointee, he said he won't be overly loyal to the White House.

"I have worked with the administration and I will be a backer of the administration when I agree with them," Mr. Pouland said. "But I will be independent."

On Friday, Mr. Luna said he was checking to see whether he would be forced to resign immediately from the council if he files for Congress on Tuesday. He said it would be unfair to leave his council district without representation indefinitely.

"That is the only thing that's keeping me from having decided two weeks ago to run," said Mr. Luna, who said he is "getting unbelievable pressure" to enter the race.

A Republican leader said it appears that the best qualified Democrats have already passed up the race.

"With Pouland, basically the name identification is very low," said Dallas County GOP Chairman Bob Driegert. "I doubt if he can raise the money. I don't consider him to be a very serious threat to our people. Sandy Kress would have been much more formidable."

Dallas school board President Kress, who like Mr. Pouland is a former chairman of the local Democratic Party, ruled out a bid earlier this month.

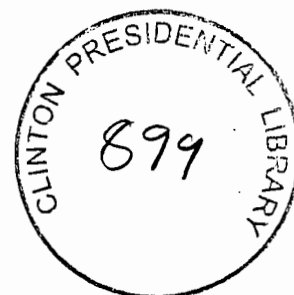
He was considered by some to be the most formidable Democrat because of his visibility on the school board and because he has a campaign war chest of roughly \$ 175,000 left over from an aborted bid for the 5th District six years ago.

Jake Fuller, a political consultant to Mr. Luna, said a contested primary could offer Democratic voters a choice.

GRAPHIC: PHOTO(S): John Pouland.

LANGUAGE: ENGLISH

LOAD-DATE: January 1, 1996



Copyright 1996 The Dallas Morning News
THE DALLAS MORNING NEWS

July 21, 1996, Sunday, HOME FINAL EDITION

SECTION: NEWS; Pg. 29A

LENGTH: 1495 words

HEADLINE: Party platforms don't unite all;
Battle for votes can prompt candidates to ignore planks

BYLINE: Douglas Holt, Staff Writer of The Dallas Morning News

BODY:

Platforms give the party faithful a chance to make ringing pronouncements that sketch out broad philosophy. But several candidates for Congress have backed away from parts of the state Democratic and Republican parties' newly written platforms.

The differences between the party line and some Dallas-area candidates involve such thorny issues as abortion, affirmative action, the minimum wage and religion in schools.

Analysts say it's not unusual for office-seekers to ignore platforms. That's because, unlike platform-writers, candidates must battle for votes where most votes can be found: at the political center.

Still, the platforms are useful in rallying the troops and "trying to keep alive what the common agenda is," says Bruce Buchanan, professor of government at the University of Texas at Austin.

State Republicans, at their convention last month in San Antonio, adopted a platform that includes a call for a constitutional amendment banning abortion. The platform does not contain the phrase "except when the mother's physical life is in danger," the exception that was included in the 1994 state platform.

State Republican Chairman Tom Pauken said the rewritten language reflects no shift; the exception is assumed, he said.

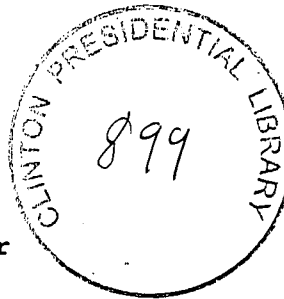
Still, the change makes some Republicans uneasy.

"If, hypothetically, the Republican Party adopted a platform that made no exceptions for abortion, that position is not supported by maybe more than 10 to 15 percent of the general voting population," said Rep. Joe Barton, a 12-year incumbent Republican from Ennis who was re-elected with 76 percent of the vote in 1994.

Platform writers, he said, "may have been so committed to that one particular issue that they don't look at the broader view of actually trying to win elections and then govern."

Janet Carroll Richardson, a Democrat and production company executive from Keller who is challenging Mr. Barton, said she has questions about her party's state platform, too.





"I think a lot of political activists in both parties become out of touch with real people," she said.

The state Democratic platform supports a woman's right to abortion. Ms. Richardson backs abortion rights but doubts that government money should pay for the procedure.

"Platforms aren't a real big deal to me," she said.

Other congressional candidates are looking to distance themselves from some planks in their party platforms.

Pete Sessions, the Republican nominee in the 5th Congressional District in Dallas, declined to discuss his views on a proposed constitutional amendment to outlaw abortions. He said he would not take a stand on it because it was unlikely to reach a final vote in Congress.

"It never will come out of a committee, and there never will be such a vote," said Mr. Sessions, a former phone company manager.

He said, however, that he would support legislation to allow abortions in the case of rape or incest or to save a woman's life.

On the plank that would outlaw birth control for minors, Mr. Sessions said he opposed the distribution of condoms at school. But making it illegal for minors to obtain them is "not something I would propose," he said.

John Pouland, the Democratic nominee in the 5th District race, said he agreed with "more than 90 percent" of his party's state platform, including its support of abortion rights.

On another issue, the state Democratic platform favors affirmative action programs for colleges, businesses and government. Mr. Pouland, a lawyer, said he backs giving preferences based on economic need and not on gender or race.

On welfare reform, Mr. Pouland parts with his party's platform by supporting mandatory limits on how long someone can receive benefits. He said he has not settled on how long that should be.

Attempts to reach House Majority Leader Dick Armey of Irving, who represents the 26th District, and his Democratic opponent, Dr. Jerry Frankel of McKinney, were unsuccessful.

In the 24th District, Republican Ed Harrison, a home builder, said that on the issue of an abortion ban, he supports an exception to protect the life of a woman.

Mr. Harrison faces Rep. Martin Frost, an eight-term Dallas Democrat who was narrowly re-elected in 1994.

Mr. Harrison declined to take a position on whether abortions should be allowed in cases of rape or incest. "This is about as firm an answer as you're going to get: I'm pro-life," he said.

THE DALLAS MORNING NEWS, July 21, 1996

Mr. Frost said he agrees with most Democratic platform positions, such as abortion rights, affirmative action and voting districts that encourage minority Congress members.

He rejected part of a Democratic "issue paper," adopted along with the party platform last month in Dallas, that slams what it calls religiously motivated school board "stealth candidates who, once in office, seek to implement their agenda of dangerous intolerance."

"You can't try to impose your views to the exclusion of others," Mr. Frost said. "But we can't discourage people from being involved in politics who are motivated because of religion."

The two parties took divergent approaches in setting their agendas.

The Republican platform is 16 pages long and full of detailed positions on more than 130 topics.

Among other issues, it calls for for creationism courses and prayer in schools and a denounces homosexuality as "contrary to fundamental, unchanging truths ordained by God."

It is laced with references to preventing "one-world government" - a sign of the anti-Christ in some circles. It says the United States should pull out of the United Nations and it calls for an investigation of groups supposedly plotting world government, such as the Trilateral Commission.

Mr. Pauken, the Republican chairman, was unable to name one candidate in Texas who supports such an investigation.

Mr. Harrison's reaction to the world-government plank was typical of other candidates contacted last week. "I haven't read that, and I wasn't a delegate," he said. "I'm not going to comment on that."

On another issue, the Texas GOP platform says the minimum wage should be repealed as a way to boost economic development.

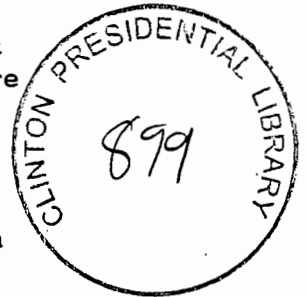
Calling the Republican platform "not mushy, not mild and very direct," Mr. Sessions suggested that it was enough to agree with the tone of the document rather than share every position it takes.

He, along with Mr. Harrison, supports keeping the minimum wage, for example.

"Our party is attempting to portray that we are taxpayers who are fed up with the wasting of tax dollars," he said. "I'm not necessarily running on the platform, but I support the direction it is going."

Democrats, chastened by heavy losses nationwide two years ago, shrank their state party platform from 33 pages in 1994 to two pages today. It touts "limited government" and "fiscal responsibility."

A "Families First" agenda put forward recently by House Democrats nationally goes along in a similar vein, calling for a balanced budget, small business tax breaks and modest health care changes.



Republicans charge that Democratic appeals to "mainstream values" are so vague that they're meaningless.

Not all Democrats are in lock-step with their platform's support for guaranteeing a woman's right to get an abortion.

Rep. Ralph Hall, D-Rockwall, who is seeking a ninth term in a district that voted for Republican George Bush in 1992, said he would not support a constitutional ban on abortion but backs a "conscience clause that reflected the views of pro-life Democrats and Republicans." He said he considers himself an abortion-rights opponent.

Mr. Hall's Republican opponent, Jerry Ray Hall of Tyler, who is no relation, could not be reached. He has said decisions regarding abortion should be left to the states.

In the 12th Congressional District in Fort Worth, Democrat Hugh Parmer, a lawyer and former Fort Worth mayor, expressed general, but not always specific, support for his state party's platform.

He was a speaker at the state convention in Dallas but said he hasn't read the platform. "I left before they adopted the platform," he said.

He expressed unequivocal support for abortion rights and said affirmative action has been "an effective tool." On the Democrats' "Families First" agenda, he said, "It certainly seems to me to be the right type of approach. Until I've actually gone through it, I'm not going to make an endorsement."

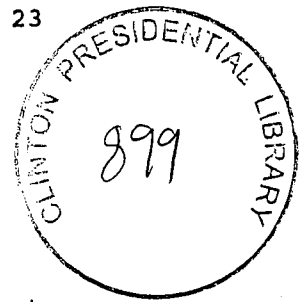
His Republican opponent, former Fort Worth Mayor Kay Granger, said she did not agree with her party's strict anti-abortion platform. She said her views on the issue are consistent with the beliefs of many Republican women:

"I support state law, which bans third-trimester abortions. I do not support tax-funded abortions, except in the cases of rape, incest or to save the life of the mother. I support parental notification. Otherwise, I think that's a decision to be made by a woman and her doctor."

Staff writers Jacquielynn Floyd, Sherry Jacobson and Jayne Noble contributed to this report.

LANGUAGE: ENGLISH

LOAD-DATE: July 22, 1996



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Abortion Report

November 4, 1996

SECTION: UPCOMING ELECTIONS

LENGTH: 747 words

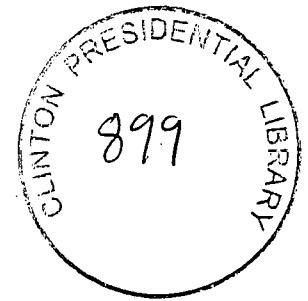
HEADLINE: HOUSE ROUND-UP: CHRYSLER APOLOGIZES FOR ABORTION STATEMENT

BODY:

MI 08: Pro-life Rep. Dick Chrysler (R) last week publicly apologized for stating, incorrectly, that St. Joseph Mercy Hospital performs "partial-birth" abortions. The remark had come during a debate with pro-choice '94 Dem LG nominee Debbie Stabenow on 10/23 (DETROIT FREE PRESS, 11/1). The statement came in response to a question about whether the procedure should be outlawed, even if there was no exception for a woman's health. Stabenow argued against a ban, saying the procedure "has never been done in Michigan." Chrysler "shot back" that a ban is needed because it is done in MI and elsewhere. Chrysler: "In fact, I was talking to my daughter-in-law yesterday, who is going to have a baby on Dec. 15. She was talking to the nurses at St. Joseph, who said they performed them there at St. Joseph's." In his apology, Chrysler stated: "Since the debate, I have spoken with officials from St. Joseph Mercy and was informed that my statement was not accurate. It was remiss of me not to check the accuracy of the information given to me, and I apologize for the distress my statement has caused to both St. Joe's and the people it serves." St. Joseph's spokesperson Margo Burrage called the apology "adequate," but the hospital ran an ad in five local newspapers (Loven, AP, 10/31). The ad reads: "An Open Letter to the Community: During a recent debate, Congressman Dick Chrysler stated he was informed that partial birth abortions are performed at St. Joseph Mercy Hospital in Ann Arbor. This was an incorrect statement. St. Joseph Mercy Hospital has not, does not and will not permit elective (including partial birth) abortions to be performed at any of its facilities" (Stabenow release, 11/1).

TX 05: Pro-choice ex-Dallas Co. Dem Party chair John Pouland (D) on 10/31 accused his opponent, pro-life '94 GOP nominee Pete Sessions (R), of "re-igniting" the abortion debate by sending a "sensationalized" brochure to selected voters. Pouland: "He's trying to have it both ways. He won't discuss his stand on abortion for mainstream voters, but he puts out a sensationalized piece to get out the vote. It's dishonest." The brochure notes that Sessions supports outlawing "partial-birth" abortions, and includes a "graphic" description of the procedure. Pouland has said the issue "should be left to state legislatures." Sessions campaign mgr John Marlow said Sessions would not comment on the brochure or the abortion issue (Jacobson, DALLAS MORNING NEWS, 11/1). The seat is being vacated by Rep. John Bryant (D), who lost a bid for U.S. Senate in the primary.

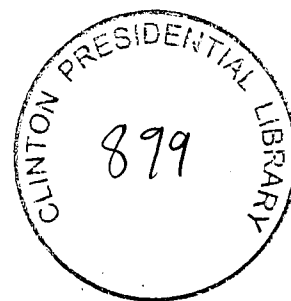
TX 09: The NRLC on 10/25 said proposed legislation by pro-



life Rep. Steve Stockman (R) has been "grossly distorted" by pro-choice/anti-funding challenger Nick Lampson (D). Lampson's campaign stood by his allegation, made in a campaign mail piece, that Stockman's bill "would imprison women and the doctors who provide abortion services for them." NRLC maintained that the proposal contained no provisions for criminal penalties. The bill states "legally protected life begins at conception" and applies to the obligation of states "not to deprive persons of life without due process of law." A Lampson spokesman said the language means the states "would have to file murder charges in response to abortions" (Bernstein/Robison/ Ratcliffe/Bucher, HOUSTON CHRONICLE, 10/26).

LANGUAGE: ENGLISH

LOAD-DATE: November 4, 1996



LEVEL 1 - 128 OF 217 STORIES

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May 30, 1996, FINAL EDITION

LENGTH: 917 words

HEADLINE: Control of Congress may turn on open Democratic seats

BYLINE: JOHN MACHACEK; Gannett News Service

DATELINE: DALLAS

BODY:

DALLAS -- The battle for control of Congress in November may begin in Metroplex: the gleaming cities of Dallas and Fort Worth where Republicans have momentum and the anti-Clinton mood is still strong.

It is here and throughout the South generally that Democrats must hold many of the dozens of "open seats" being vacated by retiring or resigning veteran lawmakers if they hope to win back the House, say campaign strategists.

These races demonstrate a phenomenon that probably will be repeated this fall in other contests for House control: Democrats running to the right of President Clinton, Republicans trying to distance themselves from their unpopular House speaker, Newt Gingrich.

But Republicans, sticking to their prediction that they will add 20 to 30 seats to their 38-seat majority, sense an advantage -- especially in North Texas, where they are fielding strong candidates in two "toss-up" races.

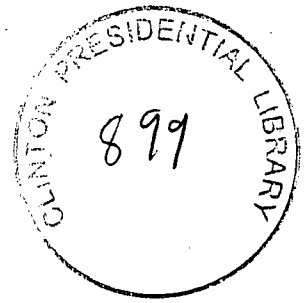
"We are listed as the second seat most likely to be won by Republicans in the South," said Pete Sessions, running for the East Dallas seat being vacated by seven-term Democrat John Bryant.

Sessions, son of former FBI director William Sessions, narrowly lost to Bryant in the GOP sweep two years ago. Now he faces John Poulard, a former Dallas County Democratic chairman, in a race heating up as a referendum on the House GOP push for smaller government and less taxes.

In Fort Worth, former mayor Kay Granger was wooed by Democrats, including House Majority Leader Richard Gephardt, but ended up as the Republican candidate for the seat held by Rep. Pete Geren, a conservative Democrat who voted with the GOP on budget issues.

Granger, who resigned as mayor in December to run for the seat of the retiring Geren, is popular for leading Fort Worth's economic revival and spearheading programs that cut the city's crime rate in half.

"It is hard to imagine that at the starting gate that the GOP could have found a better candidate. She's extraordinarily well



known, moderate, pro-choice and physically attractive," said Geren's Democratic opponent, Hugh Parmer, another ex-mayor who is counting on the district's strong Democratic leanings.

Democrats need a 20-seat pick-up to recapture the House they lost in November 1994 for the first time in four decades. But 29 of the 48 open seats are Democratic, compounding their task. Democrats lead in many generic ballot tests -- voters indicating their party preference in congressional races. But nearly three-fifths of the Democratic open seats are in the South, where GOP strength is rapidly increasing.

In Texas, where the GOP surge seems strongest, Democrats are defending six of eight open seats. Most of those races are competitive, said political handicapper Charles Cook.

Democrats expect to hold a South Florida seat being vacated by four-term Rep. Harry Johnston, but face tough fights for open seats in Tampa and Tallahassee. And they see a way to hold one of Alabama's two open seats despite a conservative swing to the GOP.

But the Mississippi seat left open by the retiring 15-term Democratic Rep. G.V. "Sonny" Montgomery could fall into the GOP hands of Charles W. Pickering Jr., a former aide to Senate Majority Whip Trent Lott.

"We have got to be able to defend our open seats in Texas and Alabama in order to get the House back," said Jim Whitney of the Democratic Congressional Campaign Committee.

Republicans also appear to have an early advantage for California's open seat. Republican Rich Sybert, who nearly defeated 10-term Democrat Anthony Bielsenson two years ago, faces Brad Sherman, a member of the California Board of Equalization, in what could be one of the costliest House races this fall.

Political strategists say they will get a better reading on the open seat races after the dust settles from multicandidate primaries in many states.

But in some cases, Democratic candidates already recognize they must move toward the center or right of the political spectrum.

"I am a different Democrat," said Pouland, who told a gathering of health care insurance agents recently he favored GOP proposals to abolish some federal agencies and would support experiments in privatizing Social Security.

But Sessions said Pouland, who quit as Clinton's regional administrator of the General Services Administration to run for the House, is a traditional Democrat who favors government action to solve America's problems.



"He says 'get rid of all those people' (in federal agencies), but his party is universally opposed to that," Sessions said. "He may say things in a conservative way, but the words are very much government-oriented."

Granger is among GOP moderates trying to both distance themselves from Gingrich and the GOP House agenda, while shoring up their conservative credentials in other areas.

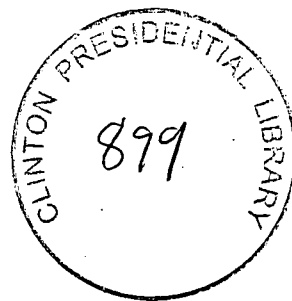
"People want fiscal responsibility, a balanced budget and welfare reform, but they want to do it in a compassionate way," she said.

But Granger, who as mayor advocated gun control, has moderated that a bit -- telling the National Rifle Association she supports repealing the ban on certain assault weapons. While it was touted as an anti-crime measure, she said, banned weapons are used in less than 3 percent of crimes.

"I don't agree with the NRA that no weapons should be banned," she said. "It's just that crimes in Fort Worth aren't committed by grenade-launchers."

LANGUAGE: ENGLISH

LOAD-DATE: May 31, 1996



Copyright 1996 The Dallas Morning News
THE DALLAS MORNING NEWS

October 30, 1996, Wednesday, HOME FINAL EDITION

SECTION: NEWS; Pg. 31A

LENGTH: 495 words

HEADLINE: Sessions calls donations troubling' Pouland defends money given by labor union

BYLINE: Sherry Jacobson, Staff Writer of The Dallas Morning News

BODY:

Fifth District congressional candidate Pete Sessions joined Republicans across the country this week in criticizing Democrats for accepting campaign contributions from a labor union that they allege has ties to organized crime.

Mr. Sessions' opponent, Democrat John Pouland, has accepted \$ 5,000 from a political action committee of Laborer's International Union of North America, according to statements filed with the Federal Election Commission.

Mr. Sessions called the contributions "troubling" in a statement released Tuesday. He called the group "not your normal labor union" because "it is controlled by organized crime."

Mr. Pouland defended the contribution, half of which arrived last week, and insisted that the union has been working to rid itself of any corruption.

"The union has cleaned up its act," Mr. Pouland said. "The laborers who support me are the ones who work down here and barely earn minimum wage."

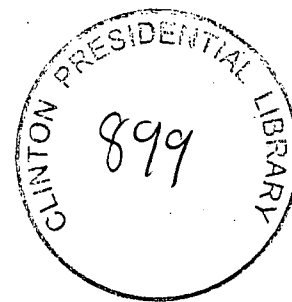
The 400,000-member union has been investigated extensively by the U.S. Justice Department, according to a 1994 complaint. Last year, the union agreed to work with the department to try to rid itself of any illegal activities, officials said.

Mr. Sessions' accusation is part of a national GOP effort to draw attention to the union's political contributions, most of which went to Democrats this year, according to press reports.

Republican candidates from Maine to Indiana to Arizona have voiced criticism similar to Mr. Sessions' statement.

"Voters must ask, What did Mr. Pouland have to promise to receive his \$ 5,000 from this labor union?" Mr. Sessions said. The union "has been infiltrated at all levels by corrupt individuals and organized crime figures who have exploited their control and influence over the union for personal gain to the detriment of the union."

In response, Mr. Pouland criticized Mr. Sessions for taking \$ 40,000 from "tobacco interests," of which \$ 4,000 came last week from Philip Morris' political action committee.



"It's complete hypocrisy for him to attack me," said Mr. Pouland. "It's not like he's coming here with clean hands."

In turn, Sessions campaign manager John Marlow accused Mr. Pouland of accepting "\$ 25,000 or more" to act as an Austin lobbyist for Phillip Morris. As proof, Mr. Marlow produced a copy of a 1992 affidavit, signed by Mr. Pouland, in which the Democrat acknowledged taking a retainer from Phillip Morris, U.S.A. in a financial disclosure statement for a government job.

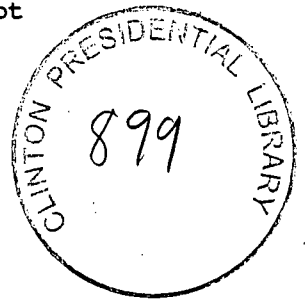
Mr. Pouland could not be reached for comment on that payment.

As the race enters its final week, Mr. Sessions reported \$ 836,143 in contributions to his campaign, his second effort to win the 5th District seat. About \$ 250,000 was spent on his successful primary race against former Dallas City Council member Glenn Box, said Mr. Marlow.

Mr. Pouland has raised \$ 459,761 in his first congressional bid and has spent most of it since the primary, according to his campaign staff.

LANGUAGE: ENGLISH

LOAD-DATE: November 1, 1996



10TH STORY of Level 1 printed in FULL format.

Copyright 1992 The Houston Chronicle Publishing Company
The Houston Chronicle

May 19, 1992, Tuesday, 2 STAR Edition

SECTION: A; Pg. 1

LENGTH: 675 words

HEADLINE: New policy shreds state telephone records weekly

BYLINE: R.G. RATCLIFFE, Houston Chronicle Austin Bureau; Staff

DATELINE: AUSTIN

BODY:

AUSTIN -- State officials now will quickly destroy the kind of telephone records that helped bring a federal judge's reprimand and revealed political abuse at the General Land Office.

Until recently, the state General Services Commission had destroyed records of local calls made from state telephones a month after the calls were made. But commission Executive Director John Pouland said the records now will be destroyed weekly as a cost-saving measure.

If that policy had been in place six months ago, two highly publicized instances of misconduct by public officials might not have been revealed.

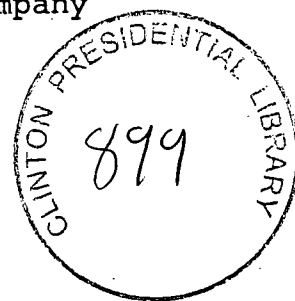
Telephone records helped Texas Attorney General Dan Morales and federal officials make the case that U.S. District Judge James Nowlin of Austin had improper contacts with state legislators potentially involved in a state Senate redistricting lawsuit.

The 5th Circuit Court of Appeals reprimand against Nowlin could result in the U.S. Supreme Court ordering new elections in this year's state Senate primaries.

Similar General Services Commission phone documents aided the Houston Chronicle in an investigation of political misuse of the state land office by Commissioner Garry Mauro and some of his employees. The records indicated Mauro and the employees had campaigned for Democratic presidential candidate Bill Clinton using state telephones on state time.

The Travis County district attorney is investigating Mauro's office for possible criminal violations.

Pouland said the new system of local telephone record retention was developed to save the state money by using less computer tape. He also said a new state telephone system requires more computer data space, which is obtained by deleting local telephone records.



The Houston Chronicle, May 19, 1992

Long-distance records still will be kept for a month, he said.

Pouland said nothing in state law requires his agency to keep local telephone records. Long-distance telephone records are turned over to state agencies every month for billing purposes.

He admitted that reducing the time the records are kept would eliminate much of their effectiveness as an investigatory tool. But Pouland said that is not his concern.

"I don't think it's of any consequence to monitor state employees. That's what the agencies and their supervisors are for -- to make sure their employees are working. It's not our job here to be a 'Big Brother,' looking over everybody's shoulder," he said.

He said he would keep the local phone records if requested to do so by the State Ethics Commission.

A 1984 opinion of the now-defunct state Ethics Advisory Commission said "'incidental'" use of state telephones by state employees for local telephone calls does not represent a misapplication of funds under the state Official Misconduct Act.

But the ruling also said: "'This opinion is not intended to authorize the abusive use of state telephones by state employees.'"

Pouland said he hopes this summer to institute a program that will block all campaign office telephone numbers from being called from all state telephones.

"Not only will Mauro's people not be allowed to call Mauro's headquarters, they shouldn't be allowed to call anybody else's campaign headquarters either," he said.

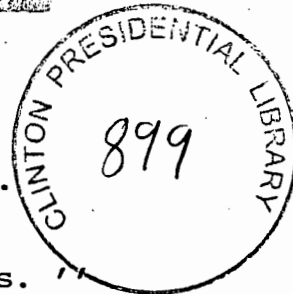
Pouland is a longtime Democratic Party activist who ran for Railroad Commission in 1986 and worked with Mauro in a 1978 U.S. Senate campaign. He was appointed to head the General Services Commission earlier this year.

Morales spokesman Gray McBride said the attorney general's office found the records useful in the redistricting case. But he said decisions on how long the records be kept are up to Pouland's agency.

Walt Borges, regional Freedom of Information director for the Society of Professional Journalists, questioned the timing of the new policy.

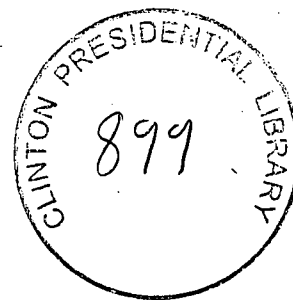
"This is sending the wrong message: 'We're not going to provide information because of what it might contain,' " Borges said. "You have to wonder if it's being done to suppress those types of analysis. "

LANGUAGE: ENGLISH



The Houston Chronicle, May 19, 1992

LOAD-DATE: May 20, 1992



LEVEL 1 - 195 OF 217 STORIES

Copyright 1992 The Houston Chronicle Publishing Company
The Houston Chronicle

May 20, 1992, Wednesday, 2 STAR Edition

SECTION: A; Editorials; Pg. 20

LENGTH: 498 words

HEADLINE: MISCHIEF AT WORK;
State phone records now being quickly destroyed

BYLINE: Staff

BODY:

The state General Services Commission's apparently sudden decision to destroy records of local telephone calls made from state offices on a weekly rather than a monthly basis is indefensible.

These records have proven a vital tool in rooting out both political abuse and misuse of the state's resources and facilities.

Destroying them quickly is an open invitation for more telephone abuse by state employees.

Until recently, records of local phone calls from state agencies were kept for a month or more. That was a sufficient period to allow the uncovering of two recent instances of misconduct by public officials. Now that the records are destroyed after only a week, it becomes less possible to root out such misconduct. It strains credibility to believe that the two situations are entirely coincidental and an accident of timing.

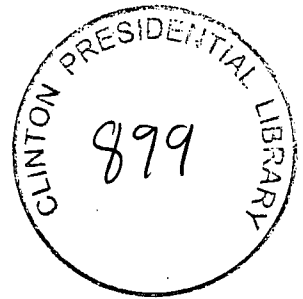
John Pouland, executive director of the General Services Commission, which keeps state telephone records, claims destroying the records quickly is a cost-saving measure.

That may be correct, but it is irrelevant. This is a case where cost -- it is not large -- is secondary to honest government.

It is in the public interest to keep these records for longer periods, to provide sufficient time to ferret out misuse of public resources.

There is reason to suspect that the decision is driven mostly by politics and a fear of exposure of misdeeds. State agency heads and their employees have become fearful of what a review of their telephone records might reveal.

Those records enabled the Houston Chronicle to uncover significant political abuse and misuse of state telephones and state resources at the General Land Office by Land Commissioner Garry Mauro and some of his employees. A Chronicle review of the records indicated that Mauro and some of his employees had



The Houston Chronicle, May 20, 1992

campaigned for Democratic presidential candidate Bill Clinton using state telephones on state time. The Travis County district attorney is investigating that situation in Mauro's office for possible violation of the law. Had these phone records been destroyed after only a week, there would be little evidence for the DA to go on.

Telephone records also helped Attorney General Dan Morales and federal officials make the case that U.S. District Judge James Nowlin of Austin had improper contacts with state legislators concerning the redistricting of the state Senate. That resulted in a rare reprimand of Judge Nowlin by the 5th Circuit Court of Appeals.

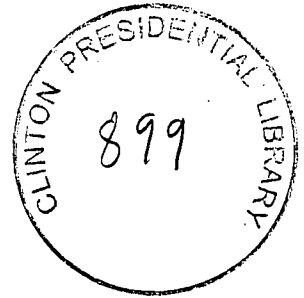
Pouland's records-destruction decision has no doubt made Austin agency heads breathe easier. But it does not serve the public interest. In fact, it frustrates the accountability of state officials to the public.

This has all the smell of the Austin establishment closing ranks to try to prevent any future embarrassment or revelation of misdeeds. If the General Services Commission won't reverse this cover-up for the future, then the Legislature should.

LANGUAGE: ENGLISH

TYPE: Editorial Opinion

LOAD-DATE: May 21, 1992



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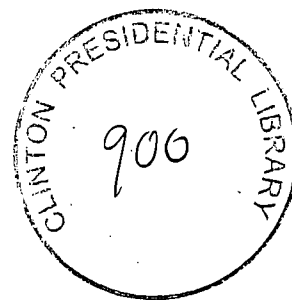
YOUR SEARCH REQUEST AT THE TIME THIS MAIL-IT WAS REQUESTED:
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LEVEL 1 - 1 OF 1 STORY

Copyright 1992 The Houston Chronicle Publishing Company
The Houston Chronicle

July 6, 1992, Monday, 2 STAR Edition

SECTION: B; Editorials; Pg. 6

LENGTH: 380 words

HEADLINE: COVER-UP AT WORK;
Lawmakers now need to preserve state phone records

BYLINE: Staff

BODY:

The Legislature ought to step in now that the General Services Commission has chosen to continue its sudden new practice of destroying records of state telephone calls after only one week.

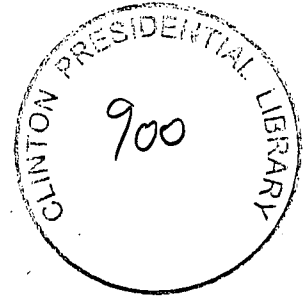
The hurried destruction of records can only make it more difficult to uncover any misuse of state phones by the Austin political establishment.

Lawmakers should take the first opportunity to pass legislation preserving these phone records long enough so that it is effectively possible to check them for inappropriate calls made at public expense. These records were once kept for a month or more. ~~The General Services Commission's speed-up decision appears to be nothing more than an attempt to help cover up any future misuses of state telephones, state resources and state employees' time.~~

The timing of the initial decision several weeks ago to erase the computer tape records was surprising, and revealing. It came shortly after the Chronicle used the records to document inappropriate and possibly illegal use of state telephones by Land Commissioner Garry Mauro and some of his employees on behalf of presidential hopeful Bill Clinton. Texas Attorney General Dan Morales had also used the records in a highly publicized and successful investigation over state Senate redistricting.

The point is that these are public records which ought to be retained long enough so they can be checked if allegations of misuse arise. Keeping them for only one week is obviously not long enough. The commission maintains long distance records for a month or more. It should do the same for local calls.

~~The initial decision to hurriedly destroy the possible evidence was apparently made by the executive director of the General Services Commission, John Pouland. When Isaias Torres, a member of the Texas Ethics Commission, questioned Pouland about the decision, Pouland said he would reverse the new policy if that was what the ethics commission wanted.~~



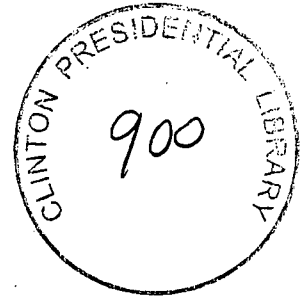
The Houston Chronicle, July 6, 1992

The ethics commission subsequently decided it did not have jurisdiction to do anything about the records, but its chairman, George Bayoud, said the new policy "'looks bad. ' ' It certainly does. So why hasn't the General Services Commission done what its executive director implied it would?

LANGUAGE: ENGLISH

TYPE: Editorial Opinion

LOAD-DATE: July 9, 1992



9TH STORY of Level 1 printed in FULL format.

Copyright 1992 American Lawyer Newspapers Group, Inc.
Texas Lawyer

December 21, 1992

SECTION: THE PRODUCTS LIABILITY CLEANUP; Pg. S-2

LENGTH: 1489 words

HEADLINE: MAUZY ECLIPSED, BUT NEW STARS COME OUT;
Detente, Defeat Shape Austin's 1993 Look

BYLINE: BY WALTER BORGES

BODY:

Political life in Austin follows a two-year cycle, with elections prominent in even-numbered years and the Legislature's regular sessions dominating odd-numbered ones. The end of 1992 closes one such cycle, giving Texas Lawyer the chance to assess the changing of the guard in and around the capitol. Here's a guide to who's newly in, and who's on the way out, within the public sector of the legal profession.

IN

Bob Bullock -- The lieutenant governor used his considerable power as presiding officer of the Senate to craft a products liability compromise between business interests and plaintiffs' lawyers. And he did it before the session started. What next? Walking on water? A state income tax?

Rose Spector -- 1992 was supposed to be the Year of the Woman in the congressional elections, but the Year had long coattails in Texas, which already had women running the governor's office and the state treasury. Underdog Rose Spector took advantage with a simple, effective TV ad that showed historical photographs of Texas Supreme Court members -- exclusively male.

Jack Hightower -- Defense lawyers and business interests roasted Supreme Court Justice Hightower after he cast the deciding vote in the 1990 Alfaro decision striking down the forum non conveniens doctrine, even though he based his decision on legislative procedure grounds rather than the merits of the doctrine (which he favors). Although disinformation swirled about his Alfaro vote, Hightower recovered to lead state Democratic candidates in the Nov. 3 balloting.

"Disarmament" -- The Texas Medical Association and individual members of the Texas Trial Lawyers Association have warred over the Texas Supreme Court since 1988. Millions have been spent by trial lawyers and doctors in 12 races, and the TMA has put considerable time and money into grass-roots political efforts. But a solid, TMA backed majority on the high court, a mixed result in the 1992 races and cooperatively drafted legislation on some medical liability issues have both organizations eying detente. As TMA legislative affairs director Kim Ross puts it: "Both us and the trial lawyers have second-strike capability, so it doesn't make sense to consider escalating to nuclear war." One upshot: Some officials in both organizations are exploring the possibility of finding a centrist judge who could run in 1994 with the backing of both organizations.

Court of Criminal Appeals Judge-Elect Larry Meyers -- Methinks the judge doth



concede too much. He congratulated incumbent opponent Fortunato "Pete" Benavides early, then beat him in Election Night's biggest surprise.

Benavides, 5th Court of Appeals Justice Kevin Wiggins and 208th District Judge John Kyles of Houston -- These appointed minority incumbents are on their way out after losing at the polls, but the likelihood they could testify in court some day about racial bias in at-large judicial elections has breathed new life into efforts to settle the Voting Rights Act cases by establishing single-member districts for both the appellate and district courts.

The Texas Ethics Commission and Ronald Earle -- For Texas legislators, there was always a free lunch on a lobbyist's tab. Not any more. Praise -- or blame -- an ethics panel of political appointees who take their oversight of governmental ethics seriously. Their actions were reinforced by Travis County District Attorney Earle, previously reluctant to take aggressive action against ethics scofflaws, who now takes a hard-line interpretation of the statutes.

Heard, Goggan, Blair & Williams -- The tax-collection firm scored a coup by winning a five-year extension on its Bexar County collection contract before the election. Timing was crucial because both candidates for county judge, Republican winner Cyndi Krier and Democrat Tommy Adkisson, favored a competitive bidding process rather than a rubber-stamp renewal of Heard, Goggan's contract.

OUT
Oscar Mauzy -- 1993's most obvious outsider was for years a liberal Democratic icon in the Texas Senate and on the Texas Supreme Court. He worried less about the letter of the law than its impact on the old Democratic alliance of labor, the poor and the powerless -- and his outspoken advocacy of their interests made him a target of Republicans, conservatives business interests and professional associations. He freely got down in the mud with his opponents in election campaigns, but his defense of campaigns fueled by large political contributions cost him clearly. Foes incorrectly but successfully painted him as the target of a -60 Minutes" probe. Sic transit gloria mundi.

Craig Enoch -- The 5th Court of Appeals' chief justice bumped off Mauzy in a race that wasn't close, surprising a bunch of political consultants and activists whose polls late in the campaign showed the opposite. Enoch gets no honeymoon after he takes the high court bench in January, for it came to light in the course of the campaign that he had used court personnel to help research and draft his master's thesis and had his secretary write political thank-you notes on court time. That is under investigation by the Travis County district attorney's office.

Garry Mauro -- After heading Bill Clinton's Texas campaign, the land commissioner is hot property in the speculation about Cabinet spots. Financial problems stemming from unwise real estate investments may keep him at home, however. Besides, Clinton lost Texas.

Parker McCullough -- The Georgetown attorney was commanding increasing attention as a sidekick to House Speaker Gib Lewis until rural opposition to high-speed rail in his district stopped his rapid rise in its tracks.

Mark Yudof -- The law dean at the University of Texas was the hometown favorite when the Austin campus sought a new president, but an alien academic from the

University of Illinois took the prize. This was previously unthinkable in Texas, sort of like picante sauce from New York.

Anita Rodcheaver -- Harris County's district clerk did nothing wrong, according to the Texas secretary of state's office, when she reported the Nov. 3 election results complete except in one judicial race that drew 41,000 write-in votes. She forgot to say that the votes on the write-in ballots hadn't been counted for other races, either, and the embarrassing reversal of five results made banner headlines in Houston.

John Pouland -- Shortly after the Dallas lawyer and Democratic political activist took over as executive director of the General Services Commission, he declared that the commission would destroy state records of local telephone calls weekly to save on computer data space and tape costs. Pouland announced the action after the local phone records had been used to reveal that U.S. District Judge James Nowlin of Austin had improper contacts with state legislators when drawing up a redistricting plan. The same records had been used to spark a criminal investigation of Mauro and his employees for using state phones and state time to campaign for Clinton.

FARTHER OUT

Rusty Hardin -- Hardin quit his prosecutor's post in Harris County in 1990 to found Texas People Against Crime, a pro-law enforcement PAC aiming to shift the balance in the Court of Criminal Appeals. Only one of four TPAC-backed candidates won in 1990, and this year things got worse: All three candidates the group endorsed were beaten.

BEYOND PLUTO AND URANUS

The Citizen's Commission on the Texas Judicial System -- Small "d" democracy continues to face an assault from the state's conservative leaders, who prefer small "r" republicanism with its greater opportunities to concentrate and influence political power. Nothing demonstrates this better than the misleadingly named Citizen's Commission -- more than two-thirds of the 124 members are judges, former judges, lawyers or court employees -- which proposed a scheme that would give the Texas Supreme Court chief justice unprecedented power. The CJ could sit on both criminal and civil panels, call both panels to sit en banc, and would appoint the presiding judges for the state's nine administrative judicial regions. The plan's originator, not surprisingly, is Chief Justice and law czar-apparent Thomas Phillips.

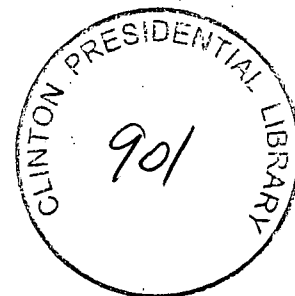
IN PURGATORY

John Hall, Kirk Watson, Allen Evans and Amy R. Johnson -- Gov. Ann Richards named Hall to head the Water Commission, Watson to chair the Texas Air Control Board, Evans to sit on the State Board of Insurance and Johnson to serve as public insurance counsel. All appear ready to regulate, rather than expedite the special interests of the regulated, which does not augur well for their confirmation hearings in the upcoming legislative session. Their success in confirmation will be a test of whether the agencies they head have been "captured" by those they regulate.

GRAPHIC: Picture 1, BULLOCK; Picture 2, BENAVIDES; Picture 3, EARLE; Picture 4, MAUZY; Picture 5, ENOCH; Picture 6, YUDOF; Picture 7, HARDIN

Texas Lawyer, December 21, 1992

LANGUAGE: ENGLISH



LEVEL 1 - 179 OF 217 STORIES

Copyright 1994 The Houston Post
The Houston Post

March 24, 1994, THURSDAY, FINAL EDITION

SECTION: EDITORIAL, Pg. A30, EDITORIAL

LENGTH: 392 words

HEADLINE: DETERRENT TO ABUSE;
STATE SHOULD KEEP RECORDS OF AGENCIES' LOCAL CAL

BODY:

IT MAY SOON become even more difficult to find out whether state elected officials and their employees abuse their time on the state payroll by making personal and political telephone calls.

With new Texas Agency Network (TEX-AN) equipment that can distinguish between long-distance and local calls, the General Services Commission plans to stop routinely keeping records of local calls in the Capitol Complex in Austin. It used to keep such records for 30 days, but for almost two years, it has been keeping them only for a week.

In 1992, such records showed a statewide officeholder's employees were spending time on state telephones working on Bill Clinton's presidential campaign. And recently an employee was found to be running an escort service from his state office.

But GSC Executive Director John Pouland says he sees no worthwhile public reason for keeping records of local calls because the calls cost the state no money.

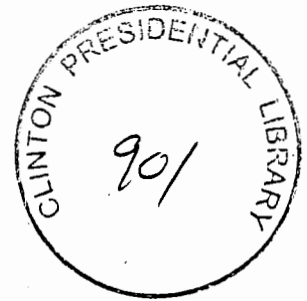
Pouland says that if an elected official or other state agency head wants records of his or her employees' local calls - to check on misconduct or for other management purposes - the phone system could be reprogrammed to furnish the information at the agency's request and expense.

He says the new phone system, which covers only about 10 percent of the state work force, can be programmed so that it does not record the local calls. This will save his agency time and money supplying the records to agencies. Long-distance calls will still be recorded and records of them furnished to the individual state agencies and the state archives.

The Post hopes members of the GSC, meeting April 26, will reject the new plan. Local calls should continue to be recorded and, if any change is made, records should still be saved longer than a week.

The Capitol Complex contains the main offices of all statewide elected officials and members of the Legislature, as well as numerous other bureaucracies. The local-call records can indicate whether employees spend time politicking or doing undue amounts of personal business at work.

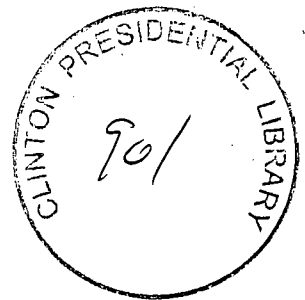
Outsiders should have access to such information - not just agency heads making special requests to check on their employees. Those bosses wouldn't be eager to make public abuses in their agencies.



The Houston Post, March 24, 1994

Continuance of the phone records may well discourage misconduct.

LOAD-DATE: August 24, 1994



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April 2, 1986, Wednesday, AM cycle

SECTION: Regional News

DISTRIBUTION: Texas

LENGTH: 395 words

DATELINE: AUSTIN, Texas

BODY:

Republican gubernatorial candidate Kent Hance said Wednesday the state Board of Education should "keep its hand off private schools."

Meanwhile, a Democratic candidate for the Texas Railroad Commission, John Pouland, joined Gov. Mark White in calling for President Reagan to impose an oil import tariff.

Hance said Texans should reject so-called "relaxed standards" for private schools that are being proposed by school board Chairman Jon Brumley of Fort Worth.

"The state should not regulate private schools, period," he said. "Mark White and his appointed state board should get the message. There can be no compromise on this issue."

nal information)> x x x this issue."> The board in March tentatively approved regulations that would have imposed many public school standards on private and home schools, but Brumley said Tuesday the new rules will be relaxed because of stiff opposition from some Christian education supporters.

Opponents predicted the issue would surface again after the November election and suggested the rules were being modified now only because they threaten White's bid for re-election.

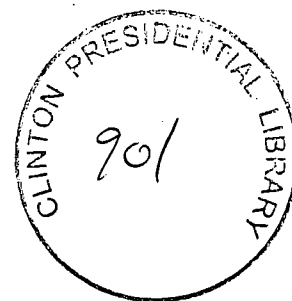
The regulations dictate who can teach and what methods of instruction would be acceptable in hundreds of small Christian schools across the state.

White has taken no public stand on the issue.

"Texas has been around for 150 years and so far we've gotten along without state regulation of private schools," said Hance. "What's wrong with the status quo is parents are happy with the education their children are getting in private and home schools?"

In the Railroad Commission race, Pouland, a Dallas lawyer, told reporters it is important the commission formulate an energy policy since the Reagan administration has refused.

Pouland said he was puzzled by the opposition of Sen. Phil Gramm, R-Texas, to an oil import fee.

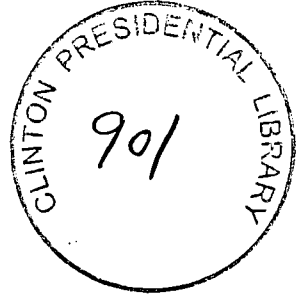


United Press International April 2, 1986, Wednesday, AM cycle

Gramm and his Republican buddies in D.C. have abandoned the independent producers for giants like Mobil and Exxon," he said. "His ideology has blinded him to the needs of his constituency."

In addition to the import fee, Pouland proposed an actual proration of natural gas production, the designation of gas pipelines as common carriers, the repeal of end-use restrictions on gas, the co-generation of electricity and the preservation of tax incentives for energy exploration and conservation.

LANGUAGE: ENGLISH



12TH STORY of Level 1 printed in FULL format.

The Associated Press

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March 6, 1984, Tuesday, AM cycle

LENGTH: 342 words

BYLINE: By JOHN DINGMAN, Associated Press Writer

DATELINE: JACKSON, Miss.

BODY:

The Mississippi coordinator for Sen. Gary Hart's presidential campaign said Tuesday that he was asked to resign because of the controversy surrounding his participation in a banquet honoring only white athletes.

"I am no longer the state coordinator," Danny Rasberry said. "I'm still a Gary Hart supporter."

Rasberry said the Hart campaign asked him to step down from the volunteer post, apparently because, he added, the controversy surrounding his activities "wouldn't look good for the campaign."

Earlier Tuesday, John Pouland, volunteer acting coordinator of the Hart campaign in several southern states, said Rasberry did not use "good political judgment" when he attended the banquet.

But he said he had no intention of talking to Rasberry about the issue.

Rasberry served as master of ceremonies at a dinner Monday night sponsored by the Spirit of America Day Committee. The group was set up by Jackson attorney Richard Barrett, who is known for his strong conservative views.

Rasberry said he became involved with the banquet in 1974 when he was honored as a high school athlete. He said he remain in the group in hopes he could change the group's outlook.

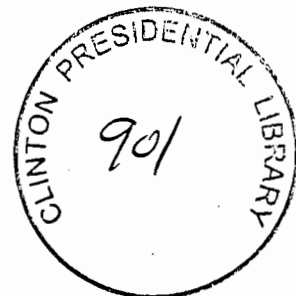
Pouland, who lives in Dallas but is serving as Hart's overall coordinator in Mississippi, Oklahoma, Alabama and Louisiana, said that as a volunteer Rasberry did not give up his individual rights to attend the banquet.

"However, he did not use good political judgment," Pouland said. He added he had no plans to talk to Rasberry about it.

In Washington, campaign spokesman Rick Ridder said Hart was not aware of the issue.

Discussing the Spirit of America awards, Rasberry said he had tried to nominate a black for one, but the effort had not been successful.

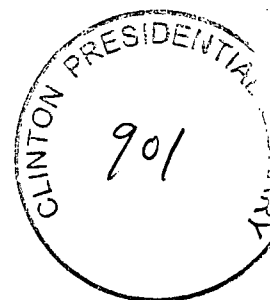
Barrett said no blacks have ever received any of the numerous medals presented each year, but he would not say blacks were ineligible.



The Associated Press, March 6, 1984

"The standard of selection on the board is that this young man must be someone I'd like my son to grow up and be like. I think that speaks for itself," Barrett said.

LANGUAGE: ENGLISH



MAIL-IT REQUESTED: JANUARY 15, 1997

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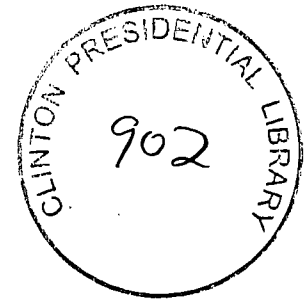
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LEVEL 1 - 1 OF 1 STORY

Copyright 1992 The Houston Chronicle Publishing Company
The Houston Chronicle

September 5, 1992, Saturday, 2 STAR Edition

SECTION: A; Pg. 34

LENGTH: 386 words

HEADLINE: State agencies chose only 15 black vendors

BYLINE: JO ANN ZUNIGA; Staff

BODY:

Only 15 black vendors were chosen by state agencies out of 105,430 contracts issued to vendors through general purchasing this year, the chairman of Houston Black American Democrats announced Friday.

Through an Open Records Act request earlier this year, the Texas Coalition of Black Democrats discovered the results, said Ray Paige, local chairman. A total of 3,832 contracts out of the 105,430 state contracted vendors were listed as "disadvantaged business enterprises (DBE)," operated by minorities and women.

Fifteen of those were black.

"This inequity will not be tolerated and the Houston Black American Democrats are putting these agencies, boards and commissions on notice, as well as those who appointed them, that some remedy to correct this apparently deliberate action, must commence immediately," Paige said during a press conference in City Hall.

A review of state records showed that the Commission on Jail Standards had no black or DBE contract in 1990 or 1991 and neither did the Texas Motor Vehicle Commission. Texas Department of Agriculture had no black vendors in its 206 contracts and neither did the Texas Department of Corrections and Jails Pardons and Paroles Division out of its 526 vendors or Texas A&M University at Galveston out of 221 contracts.

The State Purchasing and General Services Commission, which does the majority of bulk purchasing for state offices, had one black vendor and 82 DBEs out of 1,255 total contracts.

"The consensus of the coalitions is that based on the historical resistance of Texas State Boards and Commissions to contract equitably with black and other minority groups, it is feasible that much more dramatic action will be required by these agencies and the Legislature," according to a statement by Booker T. Morris III, state coalition president.

Bill Cryer, governor's press secretary in Austin, said, "This has been a concern of Governor Richards since she was state



The Houston Chronicle, September 5, 1992

PAGE 2

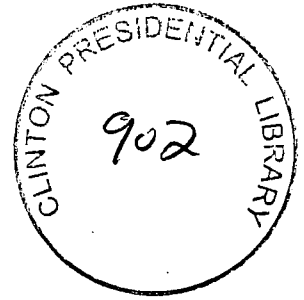
treasurer. "

Several weeks ago Richards requested John Pouland, State General Services Commission director, to insist agencies allow equitable opportunities for minority vendors.

Pouland said, "The DBEs, minority, women and small businesses have historically been short-changed and it's time to change it for the better. "

LANGUAGE: ENGLISH

LOAD-DATE: September 11, 1992



2ND STORY of Level 1 printed in FULL format.

Copyright 1996 The Austin American-Statesman
Austin American-Statesman

October 24, 1996



SECTION: Editorial; Pg. A9

LENGTH: 852 words

HEADLINE: Texas' House delegation likely will stay Democratic

BYLINE: DAVE McNEELY

BODY:

Texas Republicans went into the 1995 Congress with 11 of Texas' 30 seats in the U.S. House of Representatives. This year, if Democrats gain 18 votes nationally, they can take back the House.

So Republicans hope to peel away some more Democratic seats in Texas -- and their wildest dream is a majority of the delegation.

Possible, yes. Likely, no. But two seats currently held by Democrats in the Dallas-Fort Worth area are the most likely to go Republican: the 12th, in and around Fort Worth, and the 5th, stretching East from Dallas 160 miles southeast to Bryan.

Two seats held by Democrats in the Dalls-Fort Worth area are the most likely to go Republican; the 12th; in and around Fort Worth, and the 5th, stretching from Dallas 160 miles southeast to Bryan.

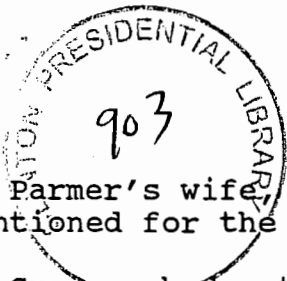
Hugh Parmer of Fort Worth and John Pouland of Dallas are the Democrats trying to hold the two seats for the Democrats. Both are fairly well-known to state capitol veterans: Parmer as a state senator for eight years, and Pouland as former executive director of the Texas General Services Commission.

Both have run for statewide office before. Parmer was the Democratic nominee against Republican U.S. Sen. Phil Gramm in 1990. Pouland ran third for the Democratic nomination for the Texas Railroad Commission in 1986.

Parmer, in the 12th, hopes to succeed conservative Democrat Pete Geren of Fort Worth. Geren, who replaced former House Speaker Jim Wright when he resigned in 1989, is retiring after seven years to spend more time with his young family.

Parmer's opponent is Fort Worth's mayor for the past five years, Kay Granger. She's never lost a political race. Parmer, by contrast, has lost about as many as he's won.

Parmer served on term in the Texas House in the 1960s, but was defeated for re-election and a later comeback try. He was elected Fort Worth's mayor in the 1970s, but voted out after one term. In 1982, he won a four-year term in the Texas Senate. He lost a race for the 6th Congressional District in 1984, but was re-elected to the Senate in 1986. Four year later; he lost in his bid to unseat Gramm.



Austin American-Statesman, October 24, 1996

Farmer's wife, Evelyn, chairs the Tarrant County Democratic Party. She was mentioned for the congressional seat, but deferred to her husband.

Granger had not publicly declared her party affiliation during her nonpartisan elective years: five as mayor, two on the Fort Worth City Council, eight on the Fort Worth Zoning Commission.

In fact, a hapless Republican primary opponent charged she was to the left of Geren. She is pro-choice, though opposes spending federal dollars for abortions -- same as U.S. Sen. Kay Bailey Hutchison. And she is for affirmative action, though against quotas.

Granger has voted in both Democratic and Republican primaries over the years. The last primary she voted in before this year, in 1990, was Republican.

In 1992, the district voted 38 percent for Bill Clinton, 35 percent for George Bush and 28 percent for Ross Perot.

In the 5th District, Pouland probably has a better shot than Farmer at going to Congress. He wants to succeed his political buddy, progressive Democrat John Bryant of Dallas, who quit after 14 years to run for the Democratic nomination for the U.S. Senate.

Pouland also was the guy who got the ball rolling to put little-known former Georgia Gov. Jimmy Carter on the presidential primary ballot in Texas in 1976.

Pouland in 1986 ran third for the Democratic nomination for Railroad Commission, which John Sharp won. In 1989, Pouland was appointed to head the Dallas Democratic Party.

The Republican is Pete Sessions, son of former FBI Director William Sessions, making his third try for Congress. He ran in a special election in 1991 in North Dallas' 3rd Congressional District. In 1994, he got 47.3 percent against Bryant.

Even though the district is slightly less favorable for a Democrat this year, because of court-ordered redistricting, former Gov. Ann Richards got almost 50 percent in 1994. An advantage for Sessions, however, is that this was one of 13 districts unhooked from the party lever.

In Pouland's favor is that he currently has Sessions on the defensive over abortion. Sessions told pro-choice forces in 1991 he was with them, but in 1994 said he was pro-life and had "never wavered." Pouland is pro-choice.

The Republicans have a lesser chance to pick up seats held by Democrats Martin Frost of Dallas (24th) and Ken Bentsen of Houston (25th), if the judicial order produces a December runoff.

The Republicans may lose two seats targeted by organized labor:

*The 14th, which they gained in 1995 when Greg Laughlin switched to the --GOP. He lost in this year's Republican primary, and Democrat Lefty Morris of Bee Cave may well beat libertarian Republican Ron Paul of Lake Jackson.

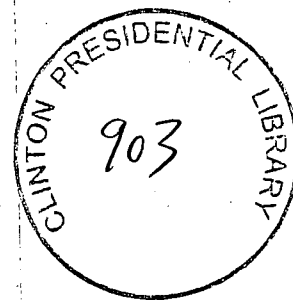
*The 9th District, where Steve Stockman is under heavy assault from --Democrat Nick Lampson.

Austin American-Statesman, October 24, 1996

The Republicans are considered unlikely to pick up two seats they wanted to in East Texas, where Democrats Jim Chapman and Charles Wilson retired.

McNeely writes about politics on Sundays, Tuesdays and Thursdays.

LOAD-DATE: October 24, 1996



2ND STORY of Level 1 printed in FULL format.

Copyright 1996 The Dallas Morning News
THE DALLAS MORNING NEWS

November 2, 1996, Saturday, HOME FINAL EDITION

SECTION: NEWS; ELECTIONS '96; Pg. 35A

LENGTH: 542 words

HEADLINE: Sessions campaign's letter to election judges faulted Secretary of state advises county to reissue voting guidelines

BYLINE: Sherry Jacobson, Staff Writer of The Dallas Morning News

BODY:

The Texas secretary of state advised Dallas County's top election official Friday to reissue voting guidelines to election judges after Republican Pete Sessions' campaign sent the judges potentially confusing instructions this week.

The Sessions letter, dated Tuesday, told the judges to "explicitly warn" voters that they will be punished for voting fraudulently. It also wrongly instructed judges "to tell each and every voter" how to cast a vote in Tuesday's special election, which includes Mr. Sessions' race in the 5th District. The special election is being held in 13 congressional districts along with the general election.

Informed of the Sessions letter by Bruce Sherbet, Secretary of State Antonio Garza Jr., a Republican, expressed concern in a letter to the elections administrator that the "instructions may have confused election judges about their duties on Election Day."

Mr. Sessions, who faces Democrat John Poulard, declined to comment on Mr. Garza's letter. Mr. Sessions' campaign released a statement Friday that said, in part, "It is our intention to make certain this election will be conducted according to the letter of the law."

The Sessions letter was sent Tuesday to as many as 500 ballot-box judges in Dallas County, all of whom are Republicans this year. It was written on his campaign stationery and signed by Will Rijksen, Mr. Sessions' political director.

After reading it, Mr. Garza warned that judges must not follow its advice and immediately challenge voters when their names cannot be found on the list of registered voters. Such individuals are allowed to vote after signing an affidavit that attests to their eligibility.

"The election judge should be careful not to intimidate the voter from exercising his or her decision to vote," Mr. Garza warned in his letter to Mr. Sherbet. "Intimidation of a voter is also a crime, as is refusing a person for voting whose acceptance is required under state law."

Mr. Garza said election judges may only post written instructions about how to cast a vote and answer voters' questions at the polls.



THE DALLAS MORNING NEWS, November 2, 1996

"Any unsolicited communications by election officials regarding the special congressional election could be misconstrued as electioneering or unlawfully influencing a voter," he wrote.

Criticism of the Sessions letter also was voiced locally. In particular, there were objections over its repeated references to the Republican Party.

"This is the first time in history that Republicans will be responsible for holding elections in all of the county's polling places," the letter notes, alluding to a decision by the Dallas County Commissioners Court last month to replace more than 80 Democratic judges with Republicans.

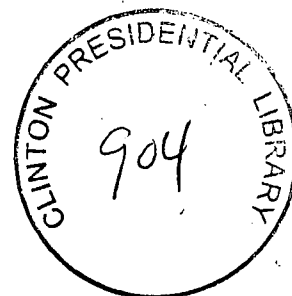
P.D. Sterling, a Republican election judge for the past decade, said Thursday that he was bothered by more than the "impropriety" of the letter.

"The tone is extremely partisan, like judges are just serving the Republican Party," he said. "From 7 a.m. to 7 p.m. on Election Day, I'm serving the community."

~~Mr. Pouland called the letter "a callous disregard for the law" and said he had asked the U.S. attorney's office to investigate whether it violated the Texas Election Code and the Federal Voting Rights Act.~~

LANGUAGE: ENGLISH

LOAD-DATE: November 3, 1996



Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. article	Annotated article (2 pages)	01/13/1986	P5 905
002. article	Annotated article (3 pages)	02/10/1994	P5 906
003. article	Annotated article (2 pages)	02/11/1994	P5 907
004. article	Annotated article (2 pages)	02/25/1994	P5 908
005. article	Annotated article (2 pages)	06/01/1994	P5 909
006. article	Annotated article (5 pages)	12/18/1994	P5 910
007. article	Annotated article (2 pages)	08/15/1996	P5 911
008. article	Annotated article (4 pages)	10/21/1996	P5 912
009. article	Annotated article (3 pages)	10/26/1996	P5 913
010. article	Annotated article (2 pages)	11/01/1996	P5 914
011. article	Annotated article (2 pages)	11/03/1996	P5 915
012. report	John C. Pouland (3 pages)	02/13/1995	P5 916

COLLECTION:

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Dana Simmons
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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]

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- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- 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]

Copyright 1986 U.P.I.

January 13, 1986, Monday, AM cycle

SECTION: Regional News

DISTRIBUTION: Texas

LENGTH: 403 words

DATELINE: AUSTIN, Texas

BODY:

Dallas lawyer John Pouland, who bills himself as a "real Democrat," announced Monday he will run for a seat on the Texas Railroad Commission.

Pouland told a news conference he would fight for increased competition in the trucking industry, protect the environment from damage from strip-mining and toxic wastes and work for a national plan to end dependence on foreign oil.

He also pledged to "put Texas consumers first in utility rate cases."

Pouland, a veteran party activist and campaign organizer and until recently an energy adviser to Sen. Gary Hart, D-Colo., lashed out at his announced Democratic opponent, state Sen. John Sharp of Victoria.

"Until his advisers shut him up, John Sharp was bragging that he's been promised a million dollars to make this race," he said. "That money's not coming from people whose primary interest is good government."

Pouland said he decided to run for the seat being vacated by Buddy Temple because "I think we need somebody on the Railroad Commission who'll holler when the little guy's getting creamed by the big boys. And you can't do that if the big boys put you there."

"Nobody owns me. And nobody's going to buy me on the way to this election."

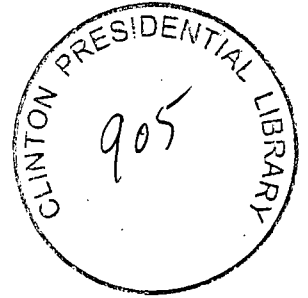
Pouland criticized Sharp's legislative voting record on railroad safety and interest rates.

"My conclusion is that John Sharp has no particular political philosophy, that he has no clear notion of what he would like to accomplish on the Railroad Commission," he said.

While he expects to be outspent by Sharp, Pouland said he hoped to make up the lack of money with "a network of longtime, loyal Democratic friends around the state."

Pouland said he plans to spend \$450,000 on the race and has not decided whether to accept money from political action committees. So far, he said, he has raised \$126,145.

Sharp said he expected Pouland to run a negative campaign with little discussion of issues.



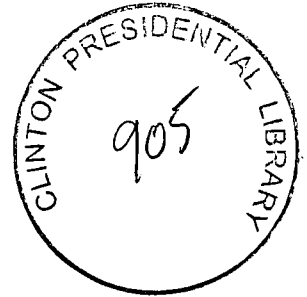
United Press International January 13, 1986, Monday, AM cycle

"I will go back to one of the questions asked in previous campaigns he (Pouland) worked for: Where's the beef," Sharp said in reference to Pouland's work for Hart.

Meanwhile, Republican John Henderson, who narrowly lost a 1984 race in the general election to Democratic Railroad Commissioner Mack Wallace, filed his formal qualifying papers Monday for another campaign as a Republican.

Other announced GOP candidates include state Reps. Ed Emmett of Kingwood and Milton Fox of Houston.

LANGUAGE: ENGLISH



8TH STORY of Level 1 printed in FULL format.

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Austin American-Statesman

February 10, 1994 THURSDAY FINAL

SECTION: CITY/STATE Pg. B10 John Maher

LENGTH: 840 words

HEADLINE: Policy change urged for phone records Purchasing

BYLINE: Mike Ward

BODY:

Reacting to a simmering controversy over destroyed phone bills in Gov. Ann Richards' office, Texas' purchasing chief moved Wednesday to retain all agencies' calling records for four years.

John Pouland, executive director of the General Services Commission, said he will recommend the policy change to the agency's six-member governing board at its Feb. 22 meeting.

Under rules adopted several years ago, he said the commission keeps records of long-distance calls for other agencies for only four months.

"I believed after this issue has been raised . . . that we should keep those records," he said. "And I will be seeking approval to do that."

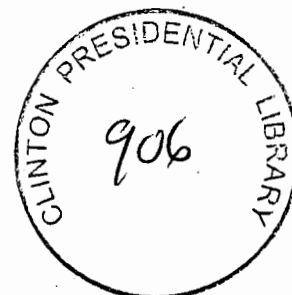
However, even if the records are kept, there are no plans to systematically review the phone records for improper use.

Since late January, Richards had been defending a policy in her office that allowed for the destruction of telephone records. With the misuse of state equipment and employees an issue in the trial of Republican U.S. Sen. Kay Bailey Hutchison - who is charged with ethics violations while she was state treasurer - telephones have become a hot political issue, and Richards has since changed her policy to retain the phone records longer.

In a Feb. 4 letter, Richards asked Pouland also to keep the detailed phone bills for state agencies "for the appropriate length of time." Under state law, billing records must be kept by each agency for three years after the end of the fiscal year. Until now, Pouland said general services officials had concluded that law did not cover their agency.

On Wednesday, Republican George W. Bush, who is challenging Richards' re-election bid, said federal rules require phone companies to keep long-distance records for 18 months and hinted that Richards' missing files could be retrieved. But state officials and Southwestern Bell officials disagreed.

They offered an analogy to explain why many of Richards' long-distance calls could not be reconstructed, even though such records probably could be reconstructed for a residential phone:



Austin American-Statesman, February 10, 1994 THURSDAY

Imagine a superhighway that is owned by the telephone company. It leases the highway to the State of Texas, which runs as many cars and trucks on it each month as it wants.

The phone company knows the traffic is heavy, maybe even where most cars go. But they don't keep track of every vehicle that whizzes by or where each one comes from.

Pouland said most agencies' long-distance calls - including most in Richards' office - are made on the Texas Agency Network, or TEX-AN, a state-owned telephone network. Those calls travel across Texas on lines leased from Southwestern Bell, he said.

"It's like the mother of all telecommunications roads, hundreds of thousands of calls each day," Pouland said. "We rent this telephone highway. Southwestern Bell doesn't maintain a record of the traffic. . . . We do."

Each month, other state officials explained, Bell sends the General Services Commission a bill for the long-distance calls made on TEX-AN. The bill lists the destination and length of each call but not which telephone was used to make each call.

The General Services Commission keeps track of where each call originates. It uses those files to cross-check the billings from Southwestern Bell, and it bills state agencies accordingly.

But those records, maintained on magnetic computer tapes, are routinely obliterated, recorded over every four months with new phone billings, Pouland said.

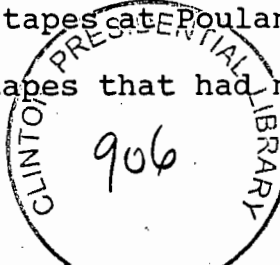
Southwestern Bell district manager Charles Trammell said that while the company keeps some billing detail for six years, it cannot track the origin of each call made on TEX-AN. Only the state has that detail, he and other company officials said.

Bill Range, a TEX-AN traffic engineer, said the system carried more than 3.5 million calls statewide during October, from as many as 200 agencies. Included were nearly 333,000 from within the Capitol complex, a collection of agencies in Central Austin that has more than 20,000 telephones.

Richards attempted to quell the controversy over the destroyed records by making public thousands of pages of phone bills that the state was able to reconstruct. They included phone bills from cellular phones, toll-free lines and credit cards dating back three years. Unlike the state's TEX-AN lines, those bills were available from the private phone companies.

In addition, some TEX-AN bills dating back to November 1991 were released. John Fainter, the governor's chief of staff, said Wednesday those bills were reconstructed from magnetic tapes at Pouland's agency.

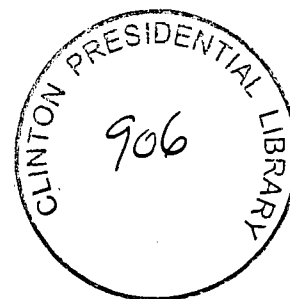
"These were from the three or four tapes that had not been gone over," he said.



Austin American-Statesman, February 10, 1994 THURSDAY

The governor's office has more than 577 phone lines, an aide said, including four lines that are not paid for with state funds - three in Richards' Capitol Extension offices and one at the Governor's Mansion.

LOAD-DATE: March 29, 1995



7TH STORY of Level 1 printed in FULL format.

Copyright 1994 The Dallas Morning News
THE DALLAS MORNING NEWS

February 11, 1994, Friday, HOME FINAL EDITION

SECTION: NEWS; Pg. 38A

LENGTH: 323 words

HEADLINE: New policy sought in phone controversy Purchasing official wants records saved

BYLINE: From Staff and Wire Report

DATELINE: AUSTIN

BODY:

AUSTIN - The controversy over the mass destruction of Gov. Ann Richards' long-distance phone bills has prompted the state's purchasing chief to recommend saving all government agencies' calling records for four years.

~~John Pouland, executive director of the General Services Commission, which handles state phones, says he will recommend the policy change at the agency's governing board meeting Feb. 22.~~

Under rules adopted several years ago, the commission keeps records of long-distance calls for other agencies for only four months, Mr. Pouland said.

Since late January, Ms. Richards had defended a policy in her office that allowed for destroying telephone records.

With the alleged misuse of state equipment and employees an issue in the trial of U.S. Sen. Kay Bailey Hutchison - who is charged with ethics violations while she was state treasurer - telephones have become a hot political issue.

Ms. Richards has changed her policy to retain phone records for three years. In a Feb. 4 letter, she asked Mr. Pouland to keep detailed phone bills for state agencies "for the appropriate length of time."

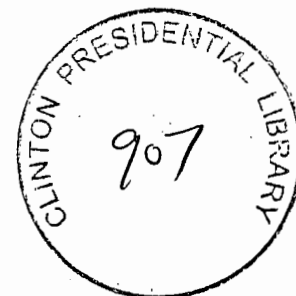
Under state law, agencies must keep billing records for three years after the end of the fiscal year.

Until now, Mr. Pouland said, General Services Commission officials had concluded that law did not cover their agency.

Ms. Richards tried to quell the controversy over the destroyed records by making public thousands of pages of phone bills that the state was able to reconstruct.

Meanwhile, the Travis County district attorney's office sent a letter to the governor's office requesting copies of the reconstructed records and any material the governor's staff used to reconstruct those records.

The governor's office has more than 577 phone lines, an aide said, including four lines that are not paid for with state funds - three in Ms. Richards'

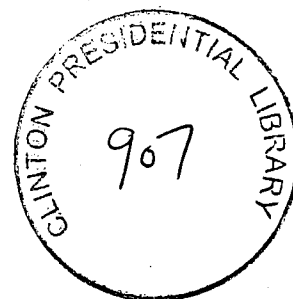


THE DALLAS MORNING NEWS, February 11, 1994

Capitol extension offices and one at the Governor's Mansion.

LANGUAGE: ENGLISH

LOAD-DATE: February 12, 1994



LEVEL 1 - 182 OF 217 STORIES

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 Faulkner & Gray, Inc
 Bank Network News

February 25, 1994



SECTION: No. 19, Vol. 12; ISSN: 1063-4428

LENGTH: 567 words

HEADLINE: Texas Passes Over EFT Veterans In Awarding Its EBT Contract

BODY:

After employing an innovative means to evaluate contract proposals, Texas passed over such well-known EFT players as Deluxe Data Systems, Citicorp, and Electronic Data Systems, and picked for its electronic benefits program a firm known for running state lottery systems. And Texas decided against using the more costly ATMs to dispense benefits in favor of point-of-sale terminals.

The Texas Department of Human Services signed a contract earlier this month with Connecticut-based GTech Administrative Services Corp. for GTech to provide processing services for an electronic program for distributing food stamps and Aid To Families With Dependent Children benefits. Texas officials say the contract provides for AFDC services to be handled at a cost of 97 cents per case per month and food stamps at \$2 per case per month.

But one EBT veteran is upset with the way the contract was awarded. Milwaukee-based Deluxe Data filed a protest with the Texas Office of Administrative Hearings asking that the award be overturned and bidding be redone.

Jessica Shahin, director of information management for the EBT project, says GTech was chosen because it offered "the most comprehensive proposal with technical specifications closest to what we wanted."

But Deluxe claims improper procedures were used. For example, GTech was allowed to lower its initial bid while others were not, says Thomas McLaughlin, Deluxe vice president.

John Poulard, executive director of the Texas General Services Commission, however, called Deluxe's complaint "sour grapes" and says he has faith that staff members handled the procedure in a proper manner. He added that GTech was the low bidder and that experience in EBT should not be the lone criteria in judging proposals.

In accepting GTech's plan, Texas decided also to nix the use of ATMs in favor of POS terminals. With ATMs, the state would have had to pay foreign interchange fees to terminal owners whereas with POS terminals, there is no interchange paid. Shahin says the state will monitor the program and if there are regions where sufficient POS terminals are not available to recipients, ATMs could be used on a limited basis. But she says that is not likely to be the case often because 16,000 retailers will participate in the program statewide. Eventually 2.7 million benefits recipients will participate in the program.

Bank Network News February 25, 1994

By picking GTech, Texas surprised some who had expected EFT veterans to be the favorites. But GTech executives note the firm has a presence in Texas through its administration of the state lottery program.

And they add GTech has EBT experience through an electronic food stamp contract with the state of New York. That program is not fully on-line in that recipients take a card to an authorized location where they are authorized to receive benefits, but are then given paper stamps to redeem.

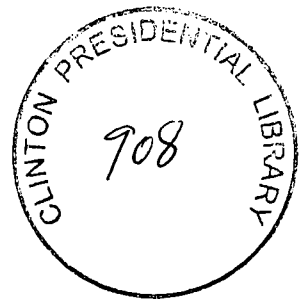
In awarding the contract, Texas used a unique catalogue bidding process. Rather than defining services desired, soliciting bids and awarding the contract to the lowest bidder, the state asked contractors to supply a catalogue of the proposed services and the cost. The state then could negotiate. Shahin says that process did not alter the program much from what the state envisioned, but resulted in better understanding as to what would be provided.

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LANGUAGE: ENGLISH

IAC-ACC-NO: 2294606

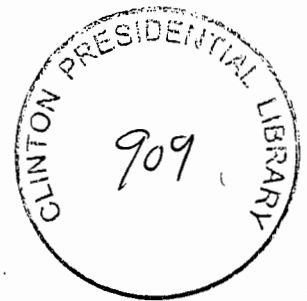
LOAD-DATE: October 26, 1995



LEVEL 1 - 178 OF 217 STORIES

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 Small Business Press
 Set-Aside Alert

June 1, 1994



SECTION: No. 6, Vol. 2; ISSN: 1068-5715

LENGTH: 568 words

HEADLINE: Texas Increases State SDB Contracting Goal to 30 Percent

BODY:

Spurred on by Governor Ann Richards, the state of Texas is, after years of neglect, aggressively recruiting minority-owned businesses for state contracts.

The Texas State Assembly last year passed a law that set the state's minority business participation goal at 30 percent, far above federal minimum mandates and well beyond the state's actual performance so far.

Responding to Croson

The assembly's goal has its roots in the Supreme Court's Croson decision of 1989 that eliminated state minority set-aside programs. Texas is conducting a disparity study, expected to be finished in June or July, that the Supreme Court said must show a deliberate and repeated past history of discrimination if a set-aside program is going to be used again.

Richards, who was elected governor in 1991, and other legislators elected along with her have led the change, and pushed the higher minority participation level through the Assembly, said John Pouland, chairman of the Texas General Services Commission.

Legislators have challenged state agency directors to explain their poor minority contracting histories and are firing those who don't hold up to their standards, Pouland said.

Minority Participation Currently 10%

About 10 percent of the state's contracts are being awarded to minority-owned firms, which the state calls "historically underutilized businesses," or HUBs, this year, Pouland said. That's more than four times higher than just two years ago, when only 1.4 percent of state contracts were awarded to minority firms. Last year, the rate rose to 8.4 percent.

But Pouland said the increase up to now is nothing to brag about. "That's just desire," he said. "That's what could have been done years ago but nobody wanted to do it."

The commission makes all purchases over \$15,000 of goods and services and of supplies for more than 200 state agencies. It is working with the agencies to find more firms and make it easier for them to enter the state market.

Set-Aside Alert June 1, 1994

The comptroller's office, for example, places ads in black and Hispanic business publications and attends trade fairs, said Lou Aguirre, a spokesman for the office.

All state agencies will help minority firms complete a two-page form to become certified by the state, Aguirre said.

Certification is not required to compete for state contracts, but only certified firms can be counted towards the state's HUB goals.

Aguirre said state agencies are becoming selective in their recruiting. They are determining the products and quantities of those products that they buy and are looking primarily for firms that can meet their needs.

In some respects, it's about time that Texas, the third-largest state in the nation, is going hard after minority firms. Nearly one-third of the state's 18 million people are minorities - 20 percent Hispanic, 11.5 percent African American, and 1 percent Asian.

This year's state budget is \$4 billion for goods and services.

Construction costs are counted separately, and add about \$1 billion more to state spending, primarily for building new prisons. The prison system has its own minority participation goal of 20 percent, which the current director claims will be difficult to meet.

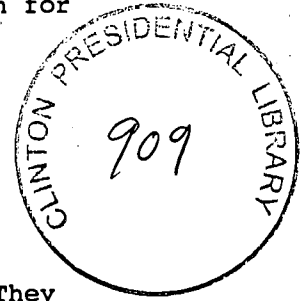
Pouland, however, disputes the director's claims, saying that construction is "probably the easiest place to obtain" minority participation.

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LANGUAGE: ENGLISH

IAC-ACC-NO: 2397674

LOAD-DATE: October 26, 1995



LEVEL 1 - 177 OF 217 STORIES

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Austin American-Statesman

December 18, 1994 SUNDAY FINAL

SECTION: BUSINESS Pg. H1 LETTERS TO THE SPORTS EDITOR

LENGTH: 1589 words

HEADLINE: State trying to police HUB process Audits help to

BYLINE: R. Michelle Breyer; David Kennedy

BODY:

In pursuit of its goal to award 30 percent of its business to women-and minority-owned companies, state government has to determine what businesses qualify for this special status.

It isn't an easy task. The basic list of historically underutilized businesses - that is, the list of companies claiming to qualify - includes 18,000 companies. Among those, 11,000 are currently eligible.

And eligibility isn't always clear-cut.

For example, in his application for HUB status, one Anglo male business owner listed himself as Native American because he was born in the United States.

In another case, a vendor claimed HUB status because he said his great-grandfather told his grandfather who told his father who told him he was part American Indian. He had no documentation.

In both of these cases, state auditors working in the compliance office of the General Services Commission discovered the qualification problems, and the companies didn't make it onto the HUB directory.

"There's plenty to do," says HUB compliance auditor Rolando Fabrega.

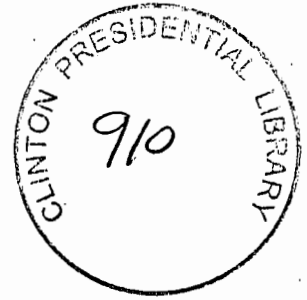
Of the 421 companies audited by the commission between December 1993 and November 1994, 185 - or 44 percent - did not meet the state's criteria for women - or minority-owned businesses and lost their HUB certification.

Of the Native American businesses that were audited, 11 - 66.8 percent - were decertified.

A state law adopted in 1991 required state agencies to make a "good faith" effort to award 10 percent of their contracts to HUB firms - a goal that was raised to 30 percent during the 1993 legislative session.

The HUB program was originally administered by the Texas Department of Commerce. The General Services Commission took over the HUB program in September 1992.

Executive director John Pouland says that, when the commission took over the program, the HUB list included 3,128 vendors, companies could get on the



list by certifying themselves, and there was no process to ensure that they were owned by women or minorities.

"It was based on the honor system," said Darrell Pierce, who oversees the commission's HUB auditing program.

The compliance office was set up a year ago to help clean up the program. Now the commission has four auditors who check qualifications for new and existing HUBs.

Companies can lose HUB status for a number of reasons, including failure to prove 51 percent minority or female ownership or a finding that the female or minority applicant is not actively participating in the business.

Auditing can be a technical and difficult process. There are a wide variety of business structures, ranging from sole proprietorships owned by one person to a corporation with multiple owners. At the same time, auditors must determine how active the woman or minority owner is in the business.

To determine whether a company meets the HUB criteria, the compliance section conducts desk audits of the applications and visits companies that have been flagged because of complaints or discrepancies on the application. The agency also does random audits at some businesses. The businesses are notified when the audit will occur.

Three months ago, the commission halted the self-certification process and began requiring proof of eligibility from all applicants.

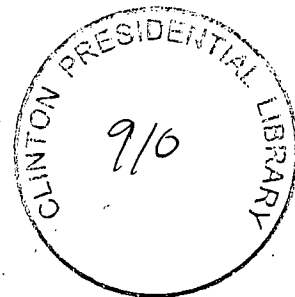
Pouland stressed that the 44 percent decertification rate does not mean that 44 percent of the HUBs are invalid. Although the compliance section does do some random audits, the majority of companies are audited because of inconsistencies on their applications. Only 11 percent of the agency's desk audits were decertified, he said.

"I would argue that for every dollar that's spent with a false HUB, there's a dollar spent with a real historically underutilized business that's not certified as a HUB," Pouland said.

But some business owners and state officials believe the percentage of invalid HUBs may actually be higher.

T. Oscar Trevino Jr., president of Fort Worth-based J.L. Steel Inc., which ranked fifth among HUBs in the amount of state contracts last year, recalled several instances in which minority business owners were brought into a deal by a prime contractor to help it win a contract with the state. He said the agreement was that the minority contractor would do no work but would receive a small percentage of the contract. "The HUB program creates fraud," Trevino said.

One high-ranking purchasing official with a large state agency, who asked that his name not be used, said he and his counterparts at other state agencies have seen numerous cases where Anglo males have legally changed the ownership of their companies on paper - giving majority ownership of the company to their wives - to enable them to garner HUB status.



Austin American-Statesman, December 18, 1994 SUNDAY

He said his agency has been doing business with one Anglo male vendor for 10 years who recently changed his company's ownership, putting 49 percent in his wife's name and 2 percent in his sister's name.

"But neither of the women has actively participated in the company," he said.

Pouland believes his agency's compliance program has gone a long way toward reducing abuse of the HUB system.

By 1995, he said, the agency's HUB directory should be clean.

In the spring, the General Services Commission will change to a system where HUB businesses will receive a different certification application from other companies.

Under the current system, all bidders fill out the same form, which can create a situation where non-HUB vendors may knowingly or accidentally claim HUB status.

"We now have the staff and resources to catch people before they're ever certified," Pouland said.

HUBs: companies decertified

Dec. 1994 - Nov. 1994

An audit of 421 companies determined that many did not qualify as historically underutilized businesses under the state's guidelines. The chart shows the percentage of decertified businesses within each HUB group.

44% 44% 48% 69% 41%

Hispanic Black Asian Pacific American Indian Woman

Percentages rounded

Source: General Services Commission

State agencies' HUB records

This chart lists all state agencies and universities that awarded at least \$20 million in contracts during the 1994 fiscal year. The entities are ranked by the percentage of the contracts that went to historically underutilized businesses.

HUB Agency Total contracts HUB contracts percentage

Comptroller

of Public

Accounts \$37,218,886.13 \$11,197,538.7230 .09

A & M

University

System, Texas \$94,304,650.74 \$24,946,480.5226 .45

Office of the Attorney

General \$27,209,047.17 \$6,856,180.8825 .20

General Services

Commission \$42,998,413.07 \$9,529,000.0722 .16

Southwest Texas State

University \$20,743,563.06 \$3,766,873.1718 .16

Human Services, Texas

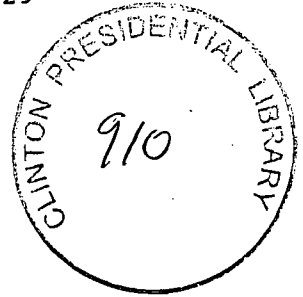
Department of \$77,168,957.34 \$11,628,886.3615 .07

Texas Department of

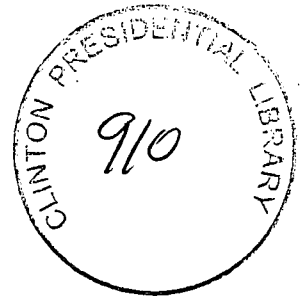
Transportation \$1,878,822,918.81 \$269,289,808.9414 .33

Public Finance Authority,

Texas \$53,983,314.60 \$7,155,067.6313 .25



Austin American-Statesman, December 18, 1994 SUNDAY



University of Texas at
 Austin \$142,509,028.98 \$18,170,195.2612 .75
 UT Southwestern Medical
 Centr/Dallas \$67,125,916.03 \$8,220,530.6812 .25
 Texas Lottery
 Commission \$67,297,327.62 \$8,103,216.6212 .04
 Employment Commission,
 Texas \$20,610,800.80 \$2,457,020.4211 .92
 University of Texas
 System \$97,618,013.71 \$11,630,988.2311 .91
 Health, Texas Department
 of \$74,817,593.51 \$8,589,071.1211 .48
 Natural Resource Conservation
 Comm. \$105,828,930.47 \$12,048,793.7911 .39
 UT Health Science
 Center-Houston \$52,935,196.41 \$5,059,575.46 9 .56
 UT Health Science Center-San
 Antonio \$42,609,725.06 \$3,942,911.069 .25
 UT Medical Branch
 Galveston \$224,239,661.71 \$20,650,819.499 .21
 University of Texas at El Paso,
 The \$22,129,095.25 \$2,015,515.089 .11
 Mental Health/Retardation,
 TX Dept \$123,673,881.72 \$10,922,336.368 .83
 Public Safety,
 Department of \$60,654,864.60 \$5,203,004.818 .58
 A & M University,
 Texas \$105,118,774.64 \$8,322,580.647 .92
 Parks and Wildlife
 Department \$34,229,640.74 \$2,607,878.717 .62
 Texas Tech
 University \$41,337,560.54 \$2,727,748.956 .60
 Education Agency, Texas
 Central \$37,253,576.95 \$2,124,240.585 .70
 Texas Dept. of Criminal
 Justice \$660,571,628.77 \$37,488,083.115 .68
 Youth Commission,
 Texas \$34,875,184.05 \$1,973,420.065 .66
 UT M.D. Anderson Cancer
 Center \$217,862,411.35 \$11,101,104.595 .10
 Agricultural Experiment Station,
 Tx. \$21,721,362.42 \$1,049,869.004 .83
 University of
 Houston \$69,059,506.88 \$2,984,154.074 .32
 Stephen F. Austin State
 University \$27,731,864.74 \$728,526.042 .63
 Preservation Board, Texas
 State \$41,628,201.13 \$109,170.040 .26

Note: The amounts include all contracts from all funds. In some cases, the contracts were awarded by the General Services Commission, not by the agency itself.

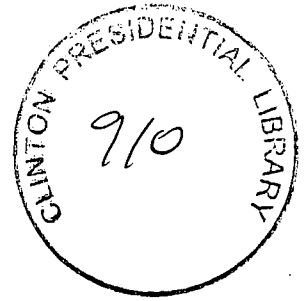
Source Staff computer analysis of General Services Commission data

GRAPHIC: T. Oscar Trevino Jr. is president of J.L. Steel Inc., which was hired as part of Texas' historically underutilized businesses program to work on the

Austin American-Statesman, December 18, 1994 SUNDAY

U.S. 183 construction project. Some business owners, including Trevino, and some state officials believe fraud is a growing problem within the program.

LOAD-DATE: March 29, 1995



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THE DALLAS MORNING NEWS

August 15, 1996, Thursday, HOME FINAL EDITION

SECTION: NEWS; Pg. 32A

LENGTH: 582 words

HEADLINE: Hopefuls study new 5th District race;
Sessions to file again; Pouland awaits appeal

BYLINE: Sherry Jacobson, Staff Writer of The Dallas Morning News

BODY:

As campaigning gets under way in the newly configured Texas congressional districts, candidates in the 5th District are a study in contrasts.

Republican Pete Sessions said Wednesday that he will file again to run in the new district, redrawn by federal judges to include Dallas' Lakewood, Lake Highlands and White Rock neighborhoods.

"We are full steam ahead," said John Marlow, Mr. Sessions' campaign manager, who began immediately to push the campaign into the new areas after the Aug. 6 ruling.

Democrat John Pouland, who like Mr. Sessions won a March primary contest, said he has not yet decided when he will refile. Nor has he spent any time campaigning in the new portions of the 5th District, although Lakewood is only a half-block from his campaign office.

Instead, Mr. Pouland said he will await the outcome of an appeal of the court order that redrew 13 of the state's 30 congressional districts, requiring special elections Nov. 5.

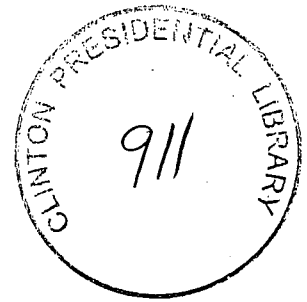
"I haven't lifted a finger in the new area because I believe the court order is unconstitutional," he said.

Mr. Pouland said he will continue to focus his energy on the rest of the district, which spans 11 counties. About 80 percent of the district was unchanged, he said.

The federal court order was appealed this week by the NAACP Legal Defense and Educational Fund, which asked the U.S. Supreme Court to overturn the order and reinstate the old district lines until the appeal is heard. Three members of Congress joined the appeal Wednesday.

The 13 districts were redrawn to correct boundaries in three Texas congressional districts that had been declared unconstitutional by the Supreme Court because of racial gerrymandering. One of the districts deemed unconstitutional is in Dallas County, and two are in Harris County.

Mr. Sessions said he was satisfied with the new district lines because the 5th District previously had been drawn to satisfy Rep.



John Bryant, a seven-term Democrat who is not seeking re-election.

The redrawn 5th District lost South Garland, Pleasant Grove and a half-dozen precincts in the Wilmer area in exchange for the East Dallas neighborhoods. In the process, its percentage of voters registered as Democrats dropped from 55.3 to 51.5 percent.

"I am pleased we can now run in an even and fairly drawn district," said Mr. Sessions, who narrowly lost to Mr. Bryant two years ago.

Mr. Pouland and other critics of the new lines maintain that the Republican-appointed federal judges redrew more districts than necessary to correct the problem. Also, they assert that changing the lines so close to the election was "highly disruptive" to voters.

"We've had dozens of phone calls from people wanting to know if they're still in the district," Mr. Pouland said. "I lost an important part of my district because I went to high school in South Garland, and I know a lot of people there."

He said he also was concerned that a special election stands to benefit Mr. Sessions. Under the rules of a special election, any candidate may now enter the races by paying a \$ 2,500 filing fee by Aug. 31.

If no one receives 50 percent of the vote Nov. 5, a runoff election will be held Dec. 10 between the top two finishers.

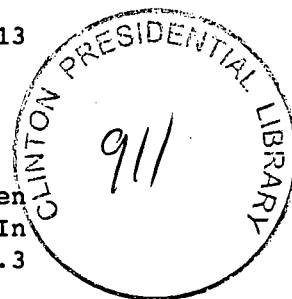
"The greater the likelihood of a runoff, the greater the likelihood of them winning," said Mr. Pouland, who formerly headed the Dallas County Democratic Party.

"If this is the way it goes, I'm going to have to take a look at my options. But I hope it doesn't come to that."

GRAPHIC: PHOTO(S): 1. Pete Sessions. 2. John Pouland.

LANGUAGE: ENGLISH

LOAD-DATE: August 20, 1996



5TH STORY of Level 1 printed in FULL format.

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THE DALLAS MORNING NEWS

October 21, 1996, Monday, HOME FINAL EDITION

SECTION: NEWS; Pg. 17A

LENGTH: 1139 words

HEADLINE: Congressional hopefuls feel driven to run Abortion issue adds tension to Pouland-Sessions contest

BYLINE: Sherry Jacobson, Staff Writer of The Dallas Morning News

BODY:

Republican Pete Sessions hushed a boisterous crowd of fifth- and sixth-graders one morning recently with the story of why he has sought a seat in Congress so relentlessly in the past five years.

He recalled that his father, former FBI Director William Sessions, told him as a boy to "dream the wildest dream you can think of" and then pursue it.

"Sooner or later when you get to be about 40 years old, you get to be what you want to be," said Mr. Sessions, now 41 and the Republican nominee in the 5th Congressional District race.

In his third bid for a congressional seat since 1991, Mr. Sessions exudes a confidence that he will finally realize his dream of going to Washington, D.C., on behalf of the people.

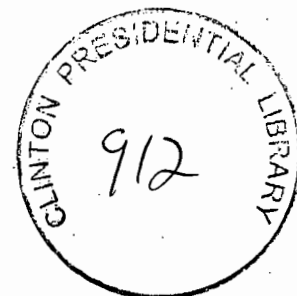
But so does his Democratic challenger, John Pouland, who discovered politics at roughly the same age when he delivered newspapers for The Garland Daily News and The Dallas Morning News.

"I started reading about public affairs in the newspaper when I was a paperboy because I had a lot of interest in history," said Mr. Pouland, 42, who is making his first bid for a seat in Congress after decades of managing campaigns for fellow Democrats. He was chairman of the Dallas County Democratic Committee in 1989 and 1990.

"I never even thought I wanted to be a member of Congress until my party and my president didn't come to the table on a balanced-budget amendment," he said of his decision to run last December. "This is a once-in-a-lifetime opportunity to engage in a debate about balancing the budget."

But the debate has broadened and suddenly become heated in the 5th District, a sprawling configuration of 11 counties reaching from the Dallas' Lake Highlands and Lakewood neighborhoods on the north to the outskirts of College Station, 130 miles to the south.

Last week, Mr. Pouland launched an attack on his Republican opponent, accusing him of flip-flopping on abortion between his first unsuccessful congressional bid in the 3rd District and the current race in the 5th District.



THE DALLAS MORNING NEWS, October 21, 1996

Mr. Pouland produced a 5-year-old letter, signed by Mr. Sessions and calling him "pro-choice." The letter went to "pro-choice" voters, urging them to take their friends to the polls to vote for Mr. Sessions, who opposed "this very real threat to the rights of women."

Mr. Sessions does not deny signing the letter but maintains that he has always aligned himself with abortion opponents. He says he was mistakenly labeled as favoring a woman's right to an abortion in 1991 because he did not support a constitutional amendment that would outlaw abortion.

"Abortion is not an issue in this campaign," he said of the current race. Rather, Mr. Sessions says he wants voters to consider his position on three abortion-related issues likely to come up in Congress in the next two years.

Mr. Sessions said he would prohibit government funds from being used for abortions, would require parental notification when minors sought abortions and would outlaw late-term, or partial-birth, abortions.

Mr. Pouland, who says he opposes abortion, said he would refer such abortion-related issues to state legislatures, which have limited power to restrict access to abortions.

But the Democratic candidate said Mr. Sessions' apparently changing stance on abortion is indicative of how much he waffles on controversial issues to keep his pursuit of Congress alive.

"People are suspicious of people who run continually for office because their objective is just to win," Mr. Pouland said.

"They will give an answer that sounds pro-choice' or pro-life' depending on who's asking the question. They say what they think people want to hear and not what they stand for."

Mr. Sessions insists that his political positions have not wavered over the years, including his position on abortion.

However, he acknowledges undergoing a change of perspective in the past two years.

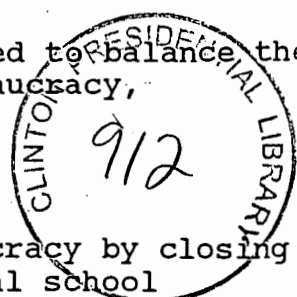
The 1994 birth of his second son, Alex, who has Down syndrome, has caused him to "rethink and rearticulate everything," Mr. Sessions said. The disorder is characterized by mental retardation and physical defects.

"I'd had no real-life experiences even though I'd had one baby born," he said of how he's been affected by Alex's birth. "I completely understand the whole life issue now."

The two candidates do agree on some issues, including the need to balance the federal budget. Both would reduce the size of the federal bureaucracy, including eliminating the Department of Commerce.

Beyond that, there are lots of disagreements.

Mr. Sessions would make further cuts into the federal bureaucracy by closing the U.S. Department of Education, saying he prefers to make local school



THE DALLAS MORNING NEWS, October 21, 1996

districts responsible for education.

Eliminating the two federal departments would give the government \$ 80 billion a year, almost enough to pay for a 15 percent tax cut for Americans, he said.

"People who get up and go to work every day deserve the right to put that money in their pocket," Mr. Sessions said.

Mr. Pouland takes the position that such a large tax cut would make it impossible to balance the federal budget. He favors cutting more federal job in Washington, and requiring European countries and Japan to contribute to the cost of U.S. military bases abroad.

"I want a reduction in foreign defense welfare because these countries are rich enough to afford to pay," Mr. Pouland said of the issue that he feels "best distinguishes" the two candidates.

Cutting foreign defense would be a risky proposition, Mr. Sessions said. He maintains that Mr. Pouland really intends to close all U.S. bases in Europe, leaving specially deployed American troops, such as those in Bosnia, without any back-up support.

Mr. Pouland denies that he has any such intention.

When it comes to issues that affect the district, the two candidates also are tangling over the Sierra Club, which has endorsed Mr. Pouland, and which Mr. Sessions criticized saying it jeopardizes private property rights.

"Their core belief is that the government has a right and obligation to go on people's private property and make a determination if something is wrong, without any compensation to the landowner," Mr. Sessions said of the Sierra Club.

Asked to specify when that had happened in the 5th District, Mr. Sessions said he did not know of any such instances. "I heard about some problem with the golden cheeeked warbler a few counties over," he said, referring to an ongoing dispute over preserving the native habitat around Austin for the rare bird.

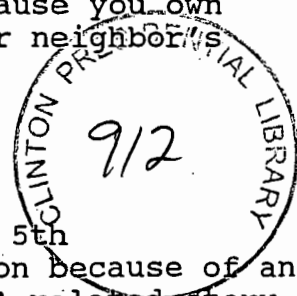
Mr. Pouland said the Sierra Club does not oppose private property rights but acts as an advocate for larger environmental issues and endangered species.

"Nobody is against property rights," he said. "But just because you own property doesn't mean you can do something that will damage your neighbor's property."

CORRECTION-DATE: October 22, 1996, Tuesday, HOME FINAL EDITION

CORRECTION:

On Page 20A of Monday's Metropolitan section, a story misstated 5th Congressional District candidate John Pouland's stand on abortion because of an editing error. The Democrat is an abortion-rights supporter. A related story appears on Page 19A.

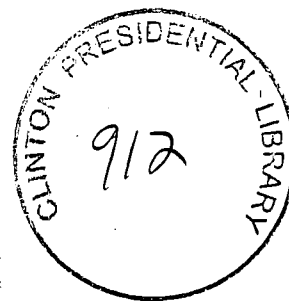


THE DALLAS MORNING NEWS, October 21, 1996

GRAPHIC: PHOTO(S): 1. John Pouland. 2. Pete Sessions.

LANGUAGE: ENGLISH

LOAD-DATE: October 29, 1996



LEVEL 1 - 88 OF 217 STORIES

Copyright 1996 The Dallas Morning News
THE DALLAS MORNING NEWS

October 26, 1996, Saturday, HOME FINAL EDITION

SECTION: NEWS; Pg. 33A

LENGTH: 715 words

HEADLINE: Sessions, Pouland trade jabs on crime Democrat calls opponent's allegation goofy, defends record as criminal attorney

BYLINE: Sherry Jacobson, Staff Writer of The Dallas Morning News

BODY:

John Pouland's previous career as a criminal defense lawyer shows that the Democrat is soft on crime, says Pete Sessions, his Republican opponent for the 5th Congressional District seat.

Mr. Sessions alleged in a statement this week that Mr. Pouland "took the side of accused drug offenders" as an attorney and therefore could not be tough on drugs if elected to Congress.

Mr. Pouland called the allegation "goofy" and said his criminal court experience has given him a better understanding of the nation's drug problems.

"I have more knowledge and experience now of how we can be tougher," Mr. Pouland said. "I can't be soft on crime because I support putting 100,000 more police officers on the street and I have the endorsement of Texas police associations."

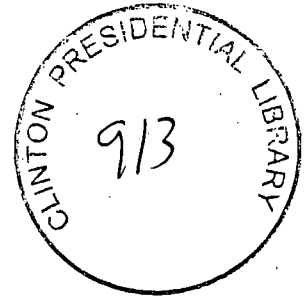
Mr. Sessions countered that his involvement in community programs makes him better able to handle the drug crisis. He cited volunteer work with the Boy Scouts, East Dallas Chamber of Commerce and Chuck Norris' Kick Drugs Out of America effort in Dallas schools.

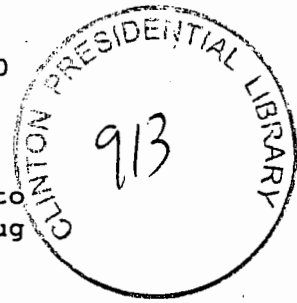
"How can he Mr. Pouland set aside his professional experience as a criminal defense attorney, which spans more than a decade, to suddenly join law enforcement in the battle to keep drugs away from children and out of our schools?" Mr. Sessions said in the lengthy statement.

He offered a list of Mr. Pouland's drug cases, contending that defendants were allowed to plead guilty and receive probation and that they later committed more serious drug crimes. Mr. Sessions provided only one documented case in which that might have happened.

The 1982 case involved a Lake Highlands man, represented by Mr. Pouland, who was sentenced to three years' probation for possessing 4 ounces of marijuana. Nine years later, the same man was arrested and charged with possessing 28 ounces of cocaine; the charge was dropped because of an illegal search.

Mr. Pouland said he was delighted that Mr. Sessions could find only one case to question. His opponent, he said, appears to be attacking the right to legal representation.





"A lawyer represents people regardless of what they're charged with," said the Democrat, who handled about 800 criminal cases in Dallas County from 1981 to 1990. Records show that 191 of those cases, or 23 percent, were related to drug charges - mainly possession of a controlled substance or possession of marijuana.

Mr. Sessions said he did not dispute the right to counsel. "But that doesn't mean I want a criminal defense lawyer representing me in Congress," said the 41-year-old retired Southwestern Bell manager, who now manages his own investments.

Mr. Pouland noted that he once handled a broad spectrum of criminal law. Records show that most of the drug cases came to him as a court-appointed attorney for indigent defendants.

"The nature of being a young defense lawyer is that you take a lot of cases because you're getting trial experience and you believe these people deserve representation, just like wealthy people do," he said.

Records also show that Mr. Pouland handled two-thirds of his drug cases after he had practiced law in Dallas for more than five years.

Mr. Sessions said he was concerned that so many of Mr. Pouland's clients appeared to have received probation for drug-related crimes. However, he offered no proof.

Mr. Pouland, 42, who has handled a few legal cases since working for the state and federal governments in recent years, said probation often goes to first-time offenders who "deserve an opportunity to change their lives." He accused Mr. Sessions of not understanding how punishment is determined.

"People who defend you in court don't set your punishment," he said. "Everybody I represented got the punishment they deserved, based on a judge and a jury or an agreement between the district attorney, the victim, the accused and the judge."

A spokeswoman for the Dallas Bar Association also defended the use of probation in first-time drug arrests that tend to involve "young people victimized by drug dealers."

"We're not trying to get these people freed," said Kalen Donnelly, a criminal defense lawyer who sits on the association's Judiciary Committee. "We try to find ways to get them away from drugs, to rehabilitate them rather than just throw them in the pen."

CORRECTION-DATE: October 27, 1996, Sunday, HOME FINAL EDITION

CORRECTION:

On Page 37A of Saturday's Metropolitan section, a photo was misidentified as Republican congressional candidate Pete Sessions. The correct photo appears at left (on p. 2A).

GRAPHIC: PHOTO(S): 1. Pete Sessions . . . Republican congressional candidate assails opponent's defense of drug suspects. 2. John Pouland . . . Democratic lawyer says Mr. Sessions seems to be attacking the right to counsel.

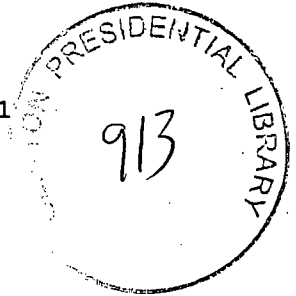
THE DALLAS MORNING NEWS, October 26, 1996

PAGE

11

LANGUAGE: ENGLISH

LOAD-DATE: November 23, 1996



3RD STORY of Level 1 printed in FULL format.

Copyright 1996 The Dallas Morning News
THE DALLAS MORNING NEWS

November 1, 1996, Friday, HOME FINAL EDITION

SECTION: NEWS; Pg. 28A

LENGTH: 381 words

HEADLINE: Pouland accuses Sessions of illegal' fund raising;
5th District candidate also says opponent has sensationalized' abortion issue;
rival doesn't respond

BYLINE: Sherry Jacobson, Staff Writer of The Dallas Morning News

BODY:

The decibel level in the 5th District congressional race was cranked up Thursday as Democrat John Pouland heaped more accusations on Republican Pete Sessions.

Mr. Pouland accused his opponent Thursday of accepting \$ 200,000 in "illegal" campaign contributions and of re-igniting the abortion debate by sending a "sensationalized" brochure to selected voters.

"He's trying to have it both ways," Mr. Pouland said. "He won't discuss his stand on abortion for mainstream voters, but he puts out a sensationalized piece to get out the vote. It's dishonest."

Mr. Sessions would not comment on the brochure or the abortion issue, said his campaign manager, John Marlow.

The brochure notes that Mr. Sessions supports legislation outlawing "partial-birth" abortions. Mr. Pouland has said the issue should be left to state legislatures.

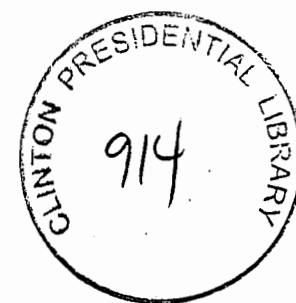
The Sessions brochure includes a graphic description of a late-term abortion from the point of view of a nurse named Brenda Pratt Shafer, who stated that she was present for such a procedure in 1993.

Ms. Shafer gave the same description a year ago at a Senate committee hearing, asking senators to pass a law prohibiting late-term abortions.

The House and Senate eventually passed a law banning abortions in the last trimester, but President Clinton vetoed it.

Mr. Pouland also accused Mr. Sessions of filing fraudulent reports about the contributions he's accepted since August, when their race was declared a special election. A spokeswoman for the Federal Election Commission said a September ruling admonished special-election candidates to stop collecting money for the general election since those candidates were no longer participating in it.

The ruling allowed candidates to take money to pay off primary election debts or to pay for the special election. Individuals can contribute up to \$ 1,000 per election cycle; political action committees may give \$ 5,000 per election.



THE DALLAS MORNING NEWS, November 1, 1996

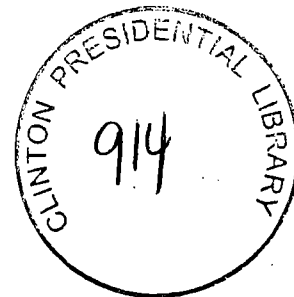
Mr. Marlow said Mr. Sessions' campaign was never notified of the restriction. "As far as we know, we haven't done anything wrong," he said.

Mr. Pouland said he was not satisfied with that explanation.

"A person who could make a \$ 200,000 mistake on an \$ 800,000 budget is not the kind of person we need balancing our budget in Washington," he said.

LANGUAGE: ENGLISH

LOAD-DATE: November 2, 1996



Copyright 1996 The Dallas Morning News
THE DALLAS MORNING NEWS

November 3, 1996, Sunday, HOME FINAL EDITION

SECTION: SPECIAL; Pg. 10R

LENGTH: 537 words

HEADLINE: Sessions rerunning tactics from '94 campaign Republican spars with Pouland for Congress

SERIES: ELECTIONS: 1996 VOTERS' GUIDE

BYLINE: Sherry Jacobson, Staff Writer of The Dallas Morning News

BODY:

Republican Pete Sessions hopes to convince voters in the 5th Congressional District that this race is a rerun of 1994, even though his opponent this time is Democrat John Pouland and not outgoing U.S. Rep. John Bryant.

"They are the same person," Mr. Sessions said. "They are liberals. They've run as liberals. They are trial lawyers. They are both the same ideological person."

Mr. Pouland said he takes exception to the idea that he is Mr. Bryant's twin.

"John's a little older, and I'm a little taller," Mr. Pouland said in the jocular style he has honed on the campaign trail.

"Seriously, no two people are the same. My balanced-budget stance is different than . . . Mr. Bryant's . . . I support term limits, and I'm willing to commit to them."

In the same vein, Mr. Pouland is trying to cast his Republican opponent as a clone of House Speaker Newt Gingrich.

Mr. Sessions "was recruited by Newt Gingrich," Mr. Pouland said.

"He supported the speaker's budget, and he brought him here for a fund-raiser. He will be a Newt Gingrich vote."

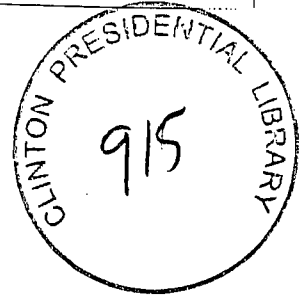
Mr. Sessions says he agrees with Mr. Gingrich on key issues but says Mr. Pouland invokes the comparison because the speaker "has been neutralized out like Hillary Rodham Clinton."

Despite Mr. Gingrich's unpopularity in public opinion polls, many of the Republican leader's ideas have been embraced by Democratic candidates, including Mr. Pouland, Mr. Sessions said.

Mr. Gingrich "was the father of the revolution," Mr. Sessions said. "I think it is a scare tactic."

Though both candidates agree that balancing the federal budget is the most important issue facing the next Congress, they disagree on how it should be

Articles printed
after .VKS so search
which did not bring
up any issue -



accomplished.

Mr. Pouland said he would look to cutting the cost of military bases in Europe and Japan by requiring their host governments to cover the expense of keeping them open. "We need to reduce, not eliminate, the amount of money we spend defending Europe and Japan," he said, estimating the savings at \$ 55 billion a year.

Mr. Sessions said he would not touch military spending but supports eliminating the departments of education and commerce, cutting about \$ 83 billion from the budget.

The abortion issue also divides the two candidates, with Mr. Pouland calling himself an abortion rights advocate and Mr. Sessions saying he is an abortion opponent. They also do not agree on the importance of the issue to 5th District voters.

Mr. Sessions says voters should not be concerned that a Republican-controlled Congress will attempt to outlaw abortion, even if Bob Dole, another abortion opponent, is elected president.

"The whole abortion issue has radically changed," Mr. Sessions said, noting that Congress has addressed only tangential abortion issues such as taxpayer-financed abortions, parental notification and late-term abortions.

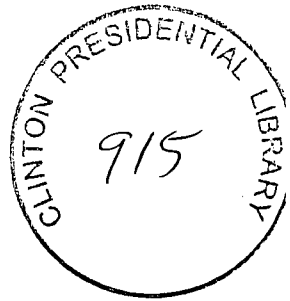
Mr. Pouland said he thinks voters have a growing concern about abortion rights because the Republican platform calls for an amendment to outlaw abortion.

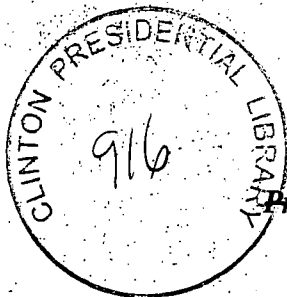
"I am asked how I stand on that question about 12 times a day," he said. "I expect the Republican Party will want to push its platform for a pro-life amendment to ban all abortions. It's a concern to more than women."

GRAPHIC: PHOTO(S): / BIO(S): 1. Pete Sessions. 2. John Pouland. CHART(S): (DMN) 5th Congressional District Issues Watch. MAP(S): 5th Congressional District Issues Watch.

LANGUAGE: ENGLISH

LOAD-DATE: November 6, 1996





DETERMINED TO BE AN
ADMINISTRATIVE MARKING

INITIALS: oms DATE: 8/12/68

~~Privileged and Confidential~~

JOHN C. POULAND
Candidate for Regional Administrator, Region 7 (SES)
General Services Agency

old
ret -
2/13/91

John C. Pouland is currently the Executive Director of the Texas General Services Commission.¹

Questions About Contributions

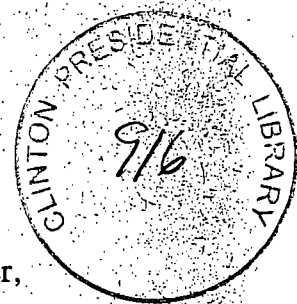
On March 10, 1986, the UNITED PRESS INTERNATIONAL reported that Texas State Senator John Sharp, a candidate for the Railroad Commission, accused Mr. Pouland, also a candidate, of inflating campaign contribution reports. Senator Sharp stated that he received a bank statement and an anonymous letter which claimed that Mr. Pouland never received or intended to receive a contribution of \$100,000 listed on his campaign finance report. According to the anonymous letter, Mr. Pouland had tried to make himself look like a credible candidate by calling three friends in December and asking if he could use their names to designate huge sums of money from them as contributors to his campaign. The letter stated that he had only collected \$26,000 at the end of 1985. Senator Sharp was quoted, "Apparently, he (Pouland) has no financial support, and his whole candidacy is based on a fraud perpetrated on the people of Texas." Mr. Pouland claimed that the contribution was in the form of three checks from personal friends, which he had in his possession but had not deposited. Mr. Pouland explained, "I did not deposit them. Instead, I held on to them in the thinking that if Sharp agreed to the campaign finance limitations I later proposed, I would be required to return the checks. I included them on my campaign report because I was required to by law." However, Senator Sharp alleged that Mr. Pouland had admitted to a third party that listing the money on the campaign report was a "game" to show financial support. Senator Sharp questioned whether Mr. Pouland could be trusted in one of the most powerful offices in state government and accused him of deceiving the people of Texas and his own supporters.

Controversy over the Timing of the Destruction of Telephone Records

On May 19, 1992, the HOUSTON CHRONICLE reported that Mr. Pouland, as Executive Director of the Texas General Services Commission, announced that state officials would begin quickly destroying telephone records of local calls made on state phones. He announced that these records would be destroyed weekly rather than monthly, as had been the practice, in order to save money by using less computer

¹ No biographical information was available at the time of the writing of this public record vet.

~~Privileged and Confidential~~



tape. The article reported that, if this practice had been in place six months earlier, two highly publicized incidents of misconduct by public officials might have gone undetected because the telephone records revealed the misconduct. One of the instances of official misconduct involved the use of state phones on state time by Commissioner Garry Mauro and his employees to campaign for President Clinton. The article pointed out that Mr. Pouland is a longtime Democratic Party activist who had worked with Commissioner Mauro in a 1978 U.S. Senate campaign.

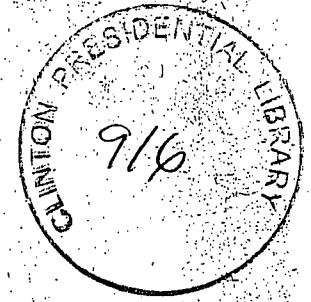
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On May 20, 1992, the HOUSTON CHRONICLE criticized the change in policy saying that it is irrelevant that this is a cost-saving measure because, "[t]his is a case where cost -- it is not large -- is secondary to honest government." An editorial in the July 6, 1992 HOUSTON CHRONICLE further criticized the move saying, "The General Services Commission's speed-up decision appears to be nothing more than an attempt to help cover up any future misuses of state telephones, state resources and state employees' time." The editorial also said, "The initial decision to hurriedly destroy possible evidence was apparently made by the executive director of the General Services Commission, John Pouland." This also earned Mr. Pouland a place on the "Out" list in the December 21, 1992 TEXAS LAWYER.

The March 24, 1994 HOUSTON CHRONICLE revealed that Mr. Pouland and the General Services Commission had decided to stop keeping any records of the local phone calls now that they had a phone system that could distinguish between long-distance and local calls. According to the article, Mr. Pouland "says he sees no worthwhile public reason for keeping records of local calls because the calls cost the state no money." However, the article began by saying, "It may soon become even more difficult to find out whether state elected official and their employees abuse their time on the state payroll by making personal and political telephone calls."

On Affirmative Action

The September 5, 1992 HOUSTON CHRONICLE reported that the Texas Coalition of Black Democrats had discovered that the state had issued 105,430 contracts to vendors, 3,832 of those issued to vendors listed as "disadvantaged business enterprises (DBE)" operated by women or minorities, but only 15 were black. In response to this and urging by then-Governor Ann Richards to increase minority contracts, Mr. Pouland stated, "The DBEs, minority, women and small businesses have historically been short-changed and it's time to change it for the better."

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Defendant in a Lawsuit

Mr. Pouland was named as a defendant in the lawsuit, Witherspoon v. Pouland, 784 S.W.2d 951 (Tex. App. 1990), where the plaintiff, Gregory A. Witherspoon, sought to compel Mr. Pouland, who was Chair of the Dallas County Democratic Party, to place his name on the ballot as a candidate for the office of Dallas County Democratic Party Chair. Mr. Pouland had rejected Mr. Witherspoon's application to be placed on the ballot because "probable cause exists to believe that said application contains a false oath." The probable cause alleged was the fact that Mr. Witherspoon was a supporter of Lyndon LaRouche, who advocates the abolition of the democratic form of government. Given this support, Mr. Pouland argued that Mr. Witherspoon could not support the laws and constitutions of the State of Texas and of the United States, as required in the oath. The court found that Mr. Witherspoon had a clear legal right to have his name placed on the ballot and ordered Mr. Pouland to do so.

Aside from the above, a limited review of the available public record revealed no information that might bear negatively on Mr. Pouland's candidacy, generate controversy, or disqualify him from serving as Regional Administrator of Region 7 in the General Services Agency.

February 13, 1995

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. note	Post-it Note (home phone numbers) (1 page)	~~n.d.~~	~~P6/b(6)~~
002. memo	Stacy Reynolds to Kathleen Whalen and Peter Erichsen re: Results (3 pages)	~~2/11/1997~~	~~P2, P6/b(6)~~
003. questionnaire	Interview of Proposed Presidential Sub-Cabinet Appointee - John Pouland (10 pages)	~~2/11/1997~~	~~P2, P6/b(6)~~
004. questionnaire	Follow-up Interview of Proposed Senior Executive Service Appointee: John Pouland (3 pages)	~~12/6/1996~~	~~P2, P6/b(6)~~
005a. report	John C. Pouland (3 pages)	01/15/1997	P5 917
005b. report	John C. Pouland (3 pages)	02/13/1995	P5 918
006. report	John C. Pouland (3 pages)	01/15/1997	P5 919
007. questionnaire	Interview of Proposed Senior Executive Service Appointee John Pouland (8 pages)	~~12/6/1996~~	~~P2, P6/b(6)~~
008. questionnaire	Personal Data Statement (7 pages)	~~n.d.~~	~~P2, P6/b(6)~~
009. questionnaire	John Corbit Pouland (4 pages)	~~1/10/1997~~	~~P6/b(6)~~
010. form	Vetting Form (1 page)	n.d.	P5 920
011a. letter	Stacy Reynolds to John Pouland (1 page)	~~1/6/1997~~	~~P2, P6/b(6)~~

COLLECTION:

Clinton Presidential Records
Counsel's Office
Schaffner, Jane
OA/Box Number: 18870

FOLDER TITLE:

Pouland, John C.

Dana Simmons
2006-0454-F
ds260

RESTRICTION CODES

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

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

- 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]

- 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]
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- 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]

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.

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
011b. questionnaire	Personal Data Statement Questionnaire (9 pages)	~~n.d.~~	~~P2, P6/b(6)~~
012. Waiver	Tax Check Waiver (partial) (2 pages)	12/10/96	P6/b(6)
013. memo	To: Eugenia D. Ellison re: Tax Check Report (1 page)	12/13/1996	P6/b(6)
014. profile	Campaign Bio (partial) (1 page)	~~n.d.~~	~~P6/b(6)~~
015a. note	Post-it Note: From: "JB" (Jana Blair) (1 page)	~~2/22/1995~~	~~P6/b(6)~~
015b. memo	Jana Blair to Beth Nolan and Marvin Krislov re: Interview (4 pages)	~~2/15/1995~~	~~P2, P6/b(6)~~
016. report	John C. Pouland (3 pages)	02/13/1995	P5 921
017. form	Employment Eligibility Verification (1 page)	2/15/1995	P6/b(6)
018a. memo	John C. Pouland to Office of Counsel to the President (3 pages)	2/10/1995	~~P6/b(6)~~
018b. profile	John C. Pouland (partial) (1 page)	~~2/10/1995~~	~~P6/b(6)~~
019. questionnaire	Interview of Proposed Presidential Sub-Cabinet Appointee (8 pages)	~~n.d.~~	~~P2, P6/b(6)~~
020. questionnaire	Personal Data Statement (7 pages)	~~n.d.~~	~~P6/b(6)~~

COLLECTION:

Clinton Presidential Records
Counsel's Office
Schaffner, Jane
OA/Box Number: 18870

FOLDER TITLE:

Pouland, John C.

Dana Simmons
2006-0454-F
ds260

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
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WJC LIBRARY PHOTOCOPY

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
021. memo	Director, Office of Disclosure to Beth Nolan (2 pages)	01/23/1995	P6/b(6)
022. Acknowledgement	Regarding Intent to Nominate or Appoint (partial) (1 page)	1/9/1995	P6/b(6)

COLLECTION:

Clinton Presidential Records
Counsel's Office
Schaffner, Jane
OA/Box Number: 18870

FOLDER TITLE:

Poulard, John C.

Dana Simmons
2006-0454-F
ds260

RESTRICTION CODES

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

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

WJC LIBRARY PHOTOCOPY

JOHN C. POULAND
Candidate for Regional Administrator, Region 7 (SES)
General Services Administration

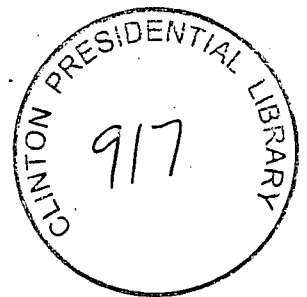
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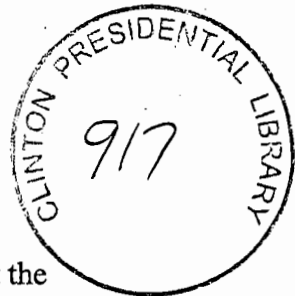
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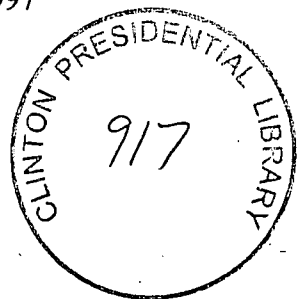
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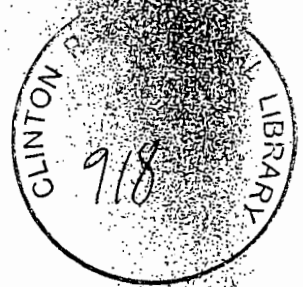
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January 15, 1997



~~Privileged and Confidential~~

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Candidate for Regional Administrator, Region 7 (SES)
General Services Agency



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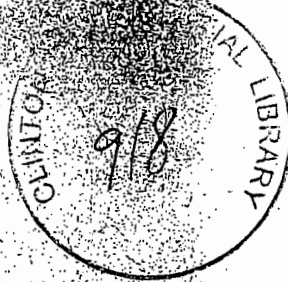
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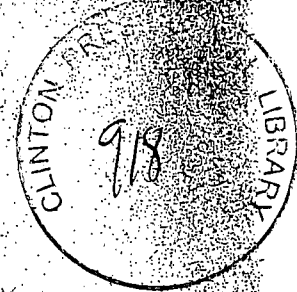
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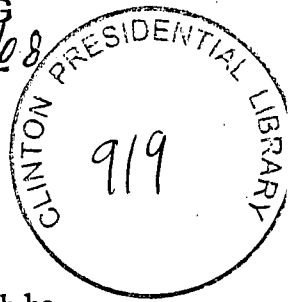
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February 13, 1995

DETERMINED TO BE AN
ADMINISTRATIVE MARKING

~~Privileged and Confidential~~ INITIALS: AM DATE: 8/18/08

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covered
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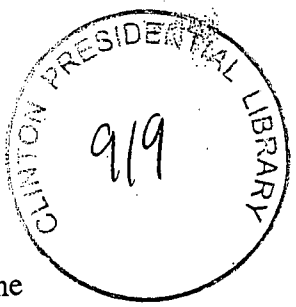
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correct consolidation
3 or 4
cabinet
pos.

Second hand quote Hotline
BS.
supporter when agreed
w/ them & not

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- supports

*→ not - opponent supports
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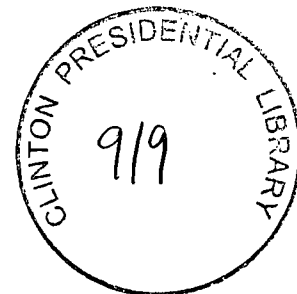
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January 15, 1997



**THE WHITE HOUSE
WASHINGTON**

Date _____

To: Federal Bureau of Investigation
Attn: ☒ EADSU (Room 4965)

☐ SIGBIU (Room 4371)

From: The White House
☐ EOP Security Office
☒ White House Counsel's Office

*Sent via
fax*

Subject's full name _____

Other names used (including birth, prior married, and nicknames) _____

Social Security Number _____ Date of birth _____ Place of birth _____

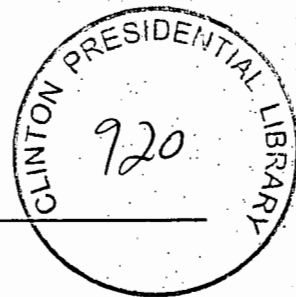
Permanent address
(also current residence, if different) _____

Current employer(s) _____

SUBJECT'S CONSENT: I hereby authorize the FBI to provide the information specified below to the White House._____
(Subject's Signature)_____
(Date)

Request of FBI (Use of this form to request information developed by the FBI or contained in FBI files requires the subject's consent. Exceptions will only be permitted as authorized by the Attorney General/Deputy Attorney General.)

- ☒ Name check (EADSU) ☐ Copy of previous report (EADSU)
☐ Expanded name check (SIGBIU)
☐ Full field investigation (SIGBIU) ☐ Level 1 ☐ Level 2 ☐ Level 3
☐ 5-year reinvestigation (SIGBIU) ☐ Level 2 ☐ Level 3
☐ Limited update investigation (SIGBIU)
☐ Other (specify) _____



The applicant is being considered for:

- ☐ Presidential appointment ☐ Position requiring Senate confirmation
☐ White House staff position
☐ Access: ☐ Detailee/other government employee ☐ Contractor ☐ Intern ☐ Volunteer
☐ Presidential recognition
☒ Other (specify) Non-Career SES Position

Attachments: ☐ SF-86 ☐ SF-86 Supplement ☐ SF-87 Fingerprint Card

Remarks/
special instructions: _____

I certify, subject to 18 U.S.C. § 1001, that the above is sought for official purposes only and I understand that obtaining this information under false pretenses or any unauthorized disclosure may be a violation of the Privacy Act, 5 U.S.C. § 552a.

Requested by: _____
(Signature)

This request has been reviewed and approved by the White House Counsel's Office.

Approved by: _____
Signature (White House Counsel's Office)

- 1 - Original - To FBI
 2 - Canary - To FBI (Return to White House)
 3 - Pink - To FBI (Office of the General Counsel)
 4 - Gold - White House Origination Copy

WJC LIBRARY PHOTOCOPY



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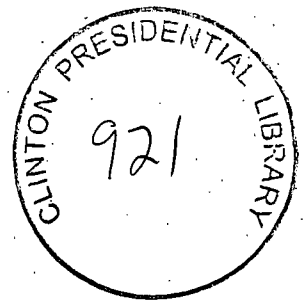
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