

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. schedule	President's Schedule [partial] (1 page)	07/17/1995	P6/b(6)
002. letter	Lawrence Perlman to Alexis Herman [partial] (1 page)	07/11/1995	P6/b(6)
003. memo	Ira Magaziner to POTUS, re: Broder/Johnson Interview (4 pages)	7/14/1995	P5 6294

COLLECTION:

Clinton Presidential Records
WHORM-Subject File-General
FG001-07
QA/Box Number: 21793

FOLDER TITLE:

290770SS

Whitney Ross
2008-0308-F
wr500

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

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

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July 14, 1995

6294

MEMORANDUM TO PRESIDENT BILL CLINTON

FROM: IRA C. MAGAZINER
SUBJ: BRODER/JOHNSON INTERVIEW

BACKGROUND

On Monday, July 17th you will meet for one hour with David Broder and Haynes Johnson who are completing a book on the health care reform debate. Their book will be published early in 1996. While other books are being written, the Broder/Johnson book will be the definitive account for political and media elites. Depending upon its content, its appearance could become a campaign issue.

Broder and Johnson conducted interviews with hundreds of participants in the health care debate, most occurring as events unfolded. Their book focuses on the politics of health reform and they use health care as an example to discuss broader issues about the political process.

The First Lady has met with them and with her approval I have met on a number of occasions with them and have shared various materials with them.

Right now, as you know, the First Lady and I and to some extent you, are blamed for the so called "health care debacle" by the Washington conventional wisdom. We allowed a group of policy wonks meeting in secret to produce a complicated, big government, unrealistic plan which overreached and was dead on arrival. You were influenced by your ultra liberal wife and "wonky" old college friend to accept this unwise venture over the objections of most of your advisors. Your presidency, the Democratic party and any chance of reasonable health reform went down the drain due to this grave error.

In fact, Republicans committed what Paul Starr has called "the perfect crime." They killed health reform without getting any of the blame. The DLC, some congressional Democrats looking to place blame for their failure to enact reform, many interest groups who opposed us but want to say they favored "sensible" reform, many groups who supported us but were ineffectual and many within our own Administration looking to distance themselves from a failure have found it convenient to contribute to this conventional wisdom.

Broder and Johnson know that the conventional wisdom is not true. There is a chance that this book, by presenting a more accurate and balanced view, could create a less distorted picture of what we tried to do.

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WHAT BRODER AND JOHNSON MAY BE THINKING

Though I don't know how Broder and Johnson will represent events in their book, they appear to understand that:

- This was an incredibly difficult undertaking in the best of circumstances.
- Delay was fatal. Many interest groups were prepared to compromise with us on our terms in the winter and spring of 1993 when momentum was on our side. We lost momentum and gave them time to organize to oppose us when we had to delay the bill until October.
- The task force was not responsible for the delay. Difficulties with the economic program which delayed its passage forced the delay of health care reform.
- Diversions on NAFTA, Haiti, Somalia, etc., were in part responsible for our inability to communicate effectively on health care in the fall of 1993.
- The power and sophistication of opposing interest groups reached new heights with health reform and this played a major role in our defeat.
- The Democratic party and its core constituency groups -- organized labor, seniors, consumer groups could not mobilize a grassroots counter offensive to the NFIB, HIAA, insurance agents, etc.
- We depended on the old Democratic leadership structure in Congress to push through a bill for us and they were too weak and their power too diffuse to do so.
- Dole and the Republicans, for political reasons, ultimately decided to kill any bill and put tremendous pressure on Chafee et al not to cooperate with us.
- The health care crisis will not go away by itself. Serious problems remain which are not being resolved.

They do seem to feel, however that:

- We overreached our electoral mandate by proposing too big a package. It was too much for a President with a 43 percent mandate and a slight congressional majority (compared to the Roosevelt Social Security and Johnson Medicare/Medicaid and Civil Rights bill majorities) to try to pass major deficit reduction and a massive health care reform plan in his first two years.

- We did not successfully build the political preconditions for success by locking up interest group support.
- We should have had stronger legislative and political leadership in the Administration devoted to health care to accompany the First Lady's communications skills and my policy skills from the very beginning.
- We tolerated exceptional acts of disloyalty from members of our own Administration which helped undermine us.
- Our press relations were poorly conceived and executed.

POINTS YOU MIGHT MAKE

The most important sense to communicate is that we knew we were attempting a very difficult feat. We pursued the fight despite the risks because the health care crisis is a serious problem which must be solved. What we attempted was possible. We made some mistakes, we had some misfortunes (Mitchell and Rostenkowski, etc.) and we ultimately couldn't get it done. We came closer than anyone has before. Though its failure has been painful, it was a risk worth taking.

To counter the conventional wisdom when you talk to them, you might wish to reinforce a few accurate but usually overlooked points:

- Comprehensive health reform which includes universal coverage, slowing cost growth to the growth of personal income and ending discrimination in the insurance market was and is still favored by the vast majority of Americans.
- The major elements of your program were considered moderate when first proposed. All had antecedents in bills sponsored by moderates and all were popular with the American people even as late as the summer of 1994 -- employer mandates, premium caps, community rating of insurance, preserving Medicare, tobacco taxes to finance reform, etc.
- There is no way to solve the problems of the health care system without creating fierce controversy. Even if one tries to go step by step, once really meaningful steps are proposed, they will engender powerful opposition.
- We knew health reform would be an uphill battle but felt that it was an important economic and social issue and to be faithful to campaign promises, we had to try to succeed with it.

- Despite the rewriting of history as people try to distance themselves from the failed health care effort, one must remember that from September of 1993 until as late as April of 1994, most people in Washington thought that we could achieve comprehensive health reform including universal coverage. Our proposals were popular for many months and we, moderate Republicans and conservative Democrats all stated publicly and privately that a deal could and would be worked out.

- Ultimately, politically motivated Republican opposition killed health reform. We got beat badly in the communications war as our plan was severely mischaracterized. Opponents mobilized effectively, spent a lot of money and this pressure scared the public and some congressional Democrats sufficiently to provide cover for the Republicans.

- Nobody during the debate or since has come up with a better proposal for solving the nation's health care problems. The problems will not go away by themselves. The number of uninsured is still climbing at over one million per year. Private sector cost growth has moderated temporarily, but is still rising at twice the rate of inflation, and a lot of this slowing is due to cutbacks in benefits, dropped coverage and one time savings as employees are forced or encouraged into lower cost health plans. Republican proposals to cut Medicare and Medicaid costs without comprehensive reform could threaten many of our hospitals in underserved areas and our academic centers as well as adding significantly to the number of uninsured people.

Attached is the letter Broder & Johnson sent to Mike McCurry requesting the meeting.

Withdrawal/Redaction Sheet

Clinton Library

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001. report	Addressing Affirmative Action by Stan Greenberg (33 pages)	7/14/1995	P5 6295
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COLLECTION:

Clinton Presidential Records
WHORM - Subject File General
HU012
OA/Box Number: 23362

FOLDER TITLE:

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Whitney Ross
2008-0308-F
wr860

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6295

ADDRESSING AFFIRMATIVE ACTION

Report on the New Jersey Project

by Stan Greenberg

JULY 14, 1995

COPY

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~~CONFIDENTIAL~~ - 1 OF 5

Date: July 14, 1995

To: President Bill Clinton (1)
Vice President Al Gore (2)
Leon Panetta (3)
Harold Ickes (4)
George Stephanopoulos (5)

From: Stan Greenberg

RE: ADDRESSING AFFIRMATIVE ACTION
Report on the New Jersey Project

In advance of the affirmative action speech, we conducted a survey and focus groups in the key swing state of New Jersey -- to help the White House put affirmative action in the best possible context, and to help it work through the politics of the issue. This is obviously a difficult issue which needs to be framed properly to build support and minimize political losses.

THE RHETORICAL CONTEXT

There is a majority in the country who believe affirmative action is still needed: 52 percent nationally (NBC/WSJ) and 54 percent in New Jersey. That majority reflects broad-based opposition to discrimination, a recognition that progress has been made and could be threatened, and a fear about what might happen if affirmative action were simply abolished. Within that bloc are significant minorities that support things like goals (31 percent) and set-asides (41 percent).

But we also understand that the majority is misleading: for many people, the term "affirmative action" is vague and without meaning; large majorities are opposed to goals and set-asides. "Group preferences" are a lightning rod and, increasingly, the terms of debate. In the survey, racial and gender preferences were opposed by 2-to-1, and in the focus groups, they produced passionate opposition.

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When people understood affirmative action to be racial preferences, they described it in terms that sounded very much like welfare: "money for nothing," "unfair," "hand outs," "undeserving," "don't like the idea of hand outs." The Dole affirmative action message had clarity because of his ability to say he would end group preferences and stand up for the most qualified. Our inability to be clear here comes at a price. People are opposed to discrimination and accept preferences as a remedy, but only for those disadvantaged by the specific acts of discrimination.

The bloc of intense opponents of affirmative action is larger than the bloc of intense proponents and more strategically placed. In the course of this survey and the focus groups, their concerns about affirmative action produced a small but politically important shift that, if replicated in the real world, would put New Jersey in doubt. So it is important that we get this right.

Real Reform

The President could come close to winning this issue if the public thought he was serious about reform -- correcting abuses while maintaining affirmative action. In the focus groups, the downscale married women preferred Clinton on this issue if that is really his intention. But the President has a high hurdle of disbelief to overcome if he is to be credible. The public is inclined to think that he is being rhetorical, trying to take both sides of an issue, fool people with things that sound good but are not real. There is a real danger that a reform proposal could reinforce the impression that the President will not stand up for what he believes, that he is just being political. Many of the men in the focus groups concluded that.

In the survey, a clear statement about support for affirmative action in principle and clear statement of abuses produced a positive response (66 percent feel better about the President); indeed, 58 percent say that, after the statement, they think of him as "strong." (We shall see later that we lose this issue when contrasted with Dole's position, but it is clearly better to lose with strength and principle.)

The President should state very clearly that he is opposed to discrimination, believes every one should have an equal chance to succeed, and that affirmative action is important to that end. It may not be popular, but that is what I believe. At the same time, there are abuses and they must be fixed.

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The Sons

The sons have become a symbol of what is wrong with affirmative action -- and allows both married men and women to feel wronged on behalf of their children. A small majority opposes goals in college and university acceptances (52 percent), but there is a large bloc of intense opponents (28 percent). The *intense opponents* of university affirmative action grows to 35 percent among those with some post-high school education and to 39 percent among white non-college men.

In the focus groups, the issue brought out more resentment than any other we considered.

My son wanted to go to college, and said he was Hispanic. He took advantage of his background because my husband's Hispanic. If he were an Irish-American, nothing. If I had married an Irishman, my son would be digging ditches.

The average white middle class person works 3 jobs to send their kids to colleges, and their kids are not eligible for financial aid.

The guidance counselor told my son that he would have gotten in had he been a minority.

If my kid worked his butt off but doesn't get in because he's the wrong color, what values does that teach him?

Let those college professors see their kids blocked from getting into college.

The President should address the sons to show he knows what is at issue, the challenges facing middle class families, and emphasize his fight for college loans -- expanded, affordable, guaranteed -- equally available regardless of race. If you are qualified to get into college, you are *eligible*. The commitment to college loans is a critical part of the affirmative action message: reform means correcting abuses and making sure that the sons of the working middle class can get the loans to go to college.

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Goals, Not Quotas

An astonishing 67 percent oppose goals for the number of minorities to be employed in a firm, but opposition drops to only 36 percent if one simply says, "setting goals, *not quotas*." The President must constantly emphasize that point.

The Qualified

There is an emerging consensus that the "best qualified" should be hired. Discrimination should not block it, and affirmative action should not substitute some other standard. That is one of the primary abuses that people focus on. Indeed, even supporters of affirmative action and minorities are opposed to the hiring of the unqualified, or even to the use of preferences rather than qualifications, to decide between the equally qualified (California focus groups). In the focus groups, people constantly referred to the concept "qualified" as a norm: "qualified people are being discriminated against"; "letting-in non-qualified people"; "atoning for discrimination should mean taking the most qualified"; "hire whoever qualified for the job."

The hiring of the non-qualified or lesser-qualified connects affirmative action to welfare. People think blacks will learn that they can get ahead on a free ride, without having to take responsibility and achieve something.

The President must associate affirmative action with giving a hand to those who are working to succeed, not people looking for a free ride. It must be about giving people hope and rewarding responsibility. A firm commitment in law that the unqualified must never be hired over the qualified must be a signal to people that they must strive to do their best.

From Set-Asides to Poor Neighborhoods

The public is wary about set-asides for minority contractors: 54 percent opposed, including 30 percent strongly. But there is strong support for "set aside programs that guarantee a certain percentage of government contracts to firms that locate in poorer neighborhoods": almost two-thirds (66 percent) support that idea, with almost a third strongly favorable.

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11/2 [The President will correct a real abuse and substitute the right standard if he abolishes set asides and moves to programs that help poor neighborhoods, whatever their race. In the focus groups, there was a sigh of relief that he had finally moved to a non-racial standard and, at the same time, addressed an important problem. People wanted to make sure that the law required that these firms employ people from the neighborhood.

Diversity

Voters are open to diversity arguments when they are placed clearly in the context of jobs that would be better performed if they reflected the community's diversity. But voters are cautious about this grant of authority. In the case of the police serving a minority community, 62 percent are supportive. But support drops off almost 20 points when put in the context of a university that wants to provide a better learning experience for its students.

Eliding Affirmative Action and Equal Rights

11/2 [There is majority support for affirmative action because people believe that they are defending the civil rights regime that protects against discrimination -- against racial minorities but, more importantly, women. Our communication should elide affirmative action and protections against discrimination in order to highlight the threat. We cannot go back to square one and hope for the best. People favor "reform" over "abolishing" precisely because they are nervous about the consequences. We should emphasize that they have good reason to be nervous. The President should ask the question of women: do you really believe that without these laws, you'll get the best chance at the jobs you are qualified for?

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Page 5

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THE POLITICAL CONTEXT

The President will lose ground on this issue and to Dole when this issue is joined. The impact of the issue is somewhat mitigated by counter pressures, such as the support of many Republicans for affirmative action, and frankly, the greater importance of other concerns. Just 23 percent say this is one of the top few issues for people. Still, in this close contest for the Presidency, the "antagonists" on affirmative action are strategically placed in the middle and thus play a disproportionately important role.

The State of Play in New Jersey

The President begins ahead of Dole in New Jersey, 50 to 44 percent. That is an impressive 6 point lead in a state critical to 1996. Unfortunately, the President's hard job performance stands at only 38 percent, suggesting that the President's advantage is rooted in Dole's weakness.

On affirmative action in general, the President begins with a 14 point advantage over Dole (48 to 34 percent). But when the issue is posed starkly as the President wanting to maintain it, and Dole wanting to abolish it, the Clinton advantage drops to 4 points (47 to 43 percent). When the President's reform position is counterpoised to Dole's commitment to abolish racial preferences, Dole moves into a 4 point lead (47 to 43 percent).

The shifts away from Clinton to Dole are most marked among white men (net - 9 points), white union households (-12 points), white high school graduates (-11 points), and white non-college men (-12 points).

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The Antagonists

To judge the impact of this speech and decision, it is important to look at those most opposed to it. They are the ones most likely to move electorally. Using the New Jersey survey and replicating a model created by Gallup, we divided the electorate into four segments.

True Believers (16 percent).	Strongly believe Affirmative action is needed; see racism or sexism as a major problem; support group preferences for either blacks or women.
Floaters (33 percent).	Think affirmative action is needed and see some race and gender discrimination problems; support 3 of 5 affirmative action policies.
Doubters (31 percent)	Doubt affirmative action programs are still needed and see few discrimination problems; reject preferences and goals, but support benign outreach programs.
Antagonists (20 percent)	Say affirmative action has gone too far and see no discrimination problems; oppose preferences and affirmative action policies, even recruitment.

The problem is simple: 29 percent of antagonists are Clinton voters, as are 43 percent of the dubious. (A parallel 23 percent of true believers are Dole voters -- but that bloc is smaller and less likely to move as a result of the decision). Among the weak Clinton voters -- the 13 percent of the electorate that we describe as "conditional" and "vulnerable" -- 19 percent are antagonists, and 45 percent are doubters or antagonists. We should anticipate weakness at this strategic point in the electorate.

Not surprisingly, 60 percent of the antagonists are men, but more striking is the 62 percent who are Catholics.

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The Clinton-Dole Comparison

There is clarity and power in opposition to group preferences which is why the message comparison produces a shift to Dole: among whites, 25 percent feel much better about the President after his statement but 34 percent feel much better about Dole -- a 9 point advantage (in a survey where the President is ahead overall). Among the conditional and vulnerable Clinton supporters, the Dole advantage is 14 points -- explaining the vote shift away from the President.

At the end of the focus groups, all the undecided voters (60 percent of each group) shifted to Dole. Many said they would give Dole "a chance," but an equal number said Dole would be "more for the working class people," "he's more for the regular people." Being for the "qualified" and against "group preferences" enables him to make a case with these mostly downscale voters.

Balancing the Losses

The aggregate shifts are not that large, in part, because many voters are reluctant to dismantle the anti-discrimination regime. Many of the men were ready to "let the chips fall where they may," but many women were nervous about where this might go.

Almost a quarters of the true believers are now supporting Dole, as are 39 percent of the floaters. These are voters in a dissonant position who could shift back toward Clinton. These pro-affirmative action Dole voters tend to better-educated which suggests a possible upscale balance to downscale losses.

Black support clearly rises for the President after his position is laid out on affirmative action: 85 percent feel better, including 54 percent who feel much better about him. The gains in enthusiasm are most marked with black men (64 percent much better) where Democrats and the President have suffered losses over the last couple of years.

One should also recognize that had the President moved to end affirmative action, he would have paid a price among black voters and Democrats generally. We presented voters with a *Democratic* congressional candidate who wanted to end affirmative action: 27 percent were more likely to vote for that candidate and 24 percent less -- an unimpressive 3 point gain. Half of black voters were less likely to support that congressional candidate and 35 percent of all Democrats.

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Welfare Reform Trumps Affirmative Action

While the affirmative action issue is very important, it pales next to welfare. The biggest worry in the state is that there are "too many people on welfare who shouldn't be there" (58 percent). That ranks above concerns with inequality (52 percent) and lack of jobs (49 percent), the next highest worries.

A Republican candidate for Congress who runs against affirmative action and for the opening up of the colleges and university to everyone, scores political points (49 percent more likely to support, including 28 percent much more likely). But when the candidate combines that position with support for tough welfare reform, 60 percent say they would be more likely to support him or her, including 32 percent much more likely. **Two-thirds of the weak Clinton voters say they are more likely to vote for that anti-affirmative action/anti-welfare Republican candidate.**

In the focus groups, we presented voters with a bundle of potential Republican issues. The most powerful were cutting spending, limiting immigration, cutting taxes, and ending welfare as we know it. Three times as many people cited ending welfare reform as mentioned ending affirmative action (even after an hour of discussion on the subject). Affirmative action is dangerous but, combined with welfare reform, it can be lethal.

In the focus groups, a pro-affirmative action, but pro-welfare reform Democrat, was received very well. Participants described that candidate as "somebody I would vote for," "I would listen to what this guy has to say," that is somebody with "new ideas." By contrast, a straight pro-affirmative action Democrat was described as "past his time," "failed policies of the Democrats," "going for a particular minority vote," "wants the lower class to vote for him," "courting a particular vote." In Democratic hands, welfare reform is an antidote to affirmative action; in Republican hands, it exaggerates and broadens the impact of affirmative action.

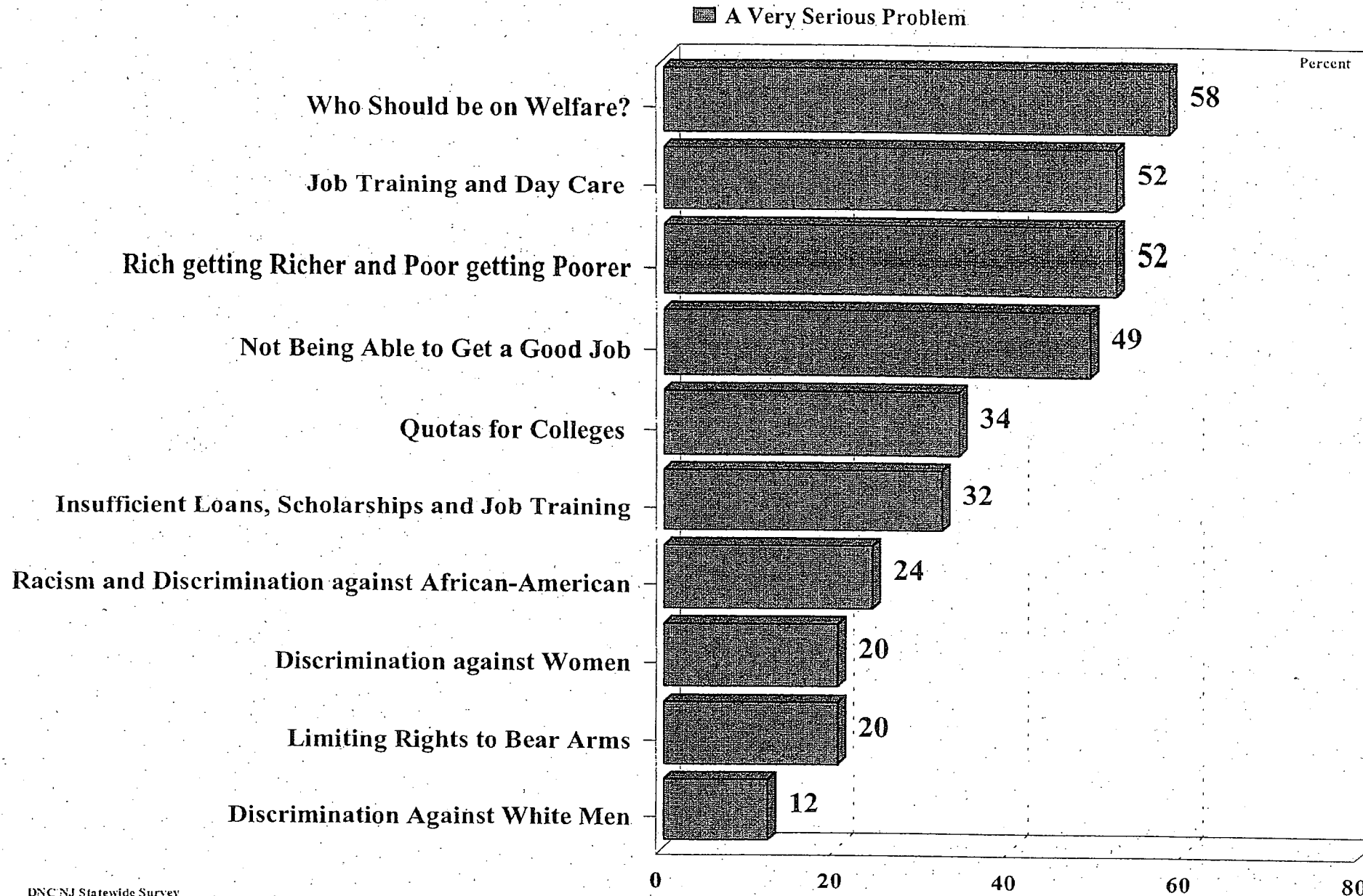
The administration cannot allow the Republicans to take ownership and win welfare reform. The President needs to challenge the Republicans for failing to act on welfare reform and then, if possible, move in a bold way administratively to make welfare reform happen and allow the President to take ownership of this change.

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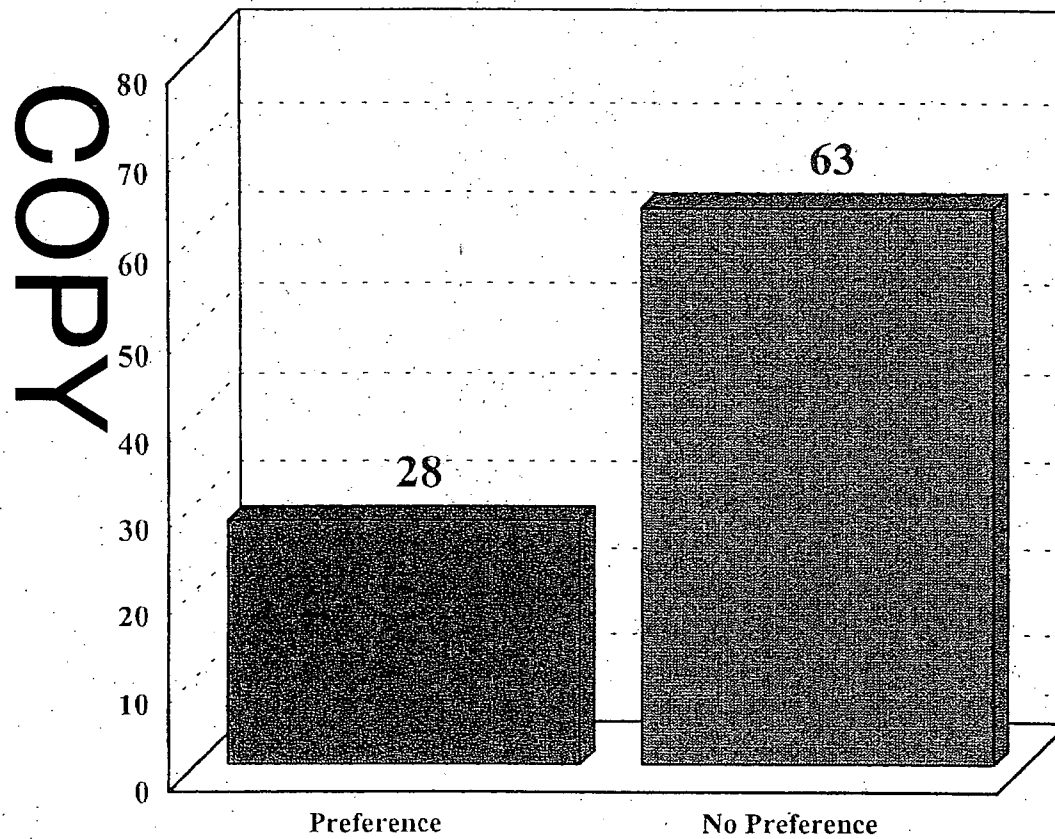
New Jersey Concerns



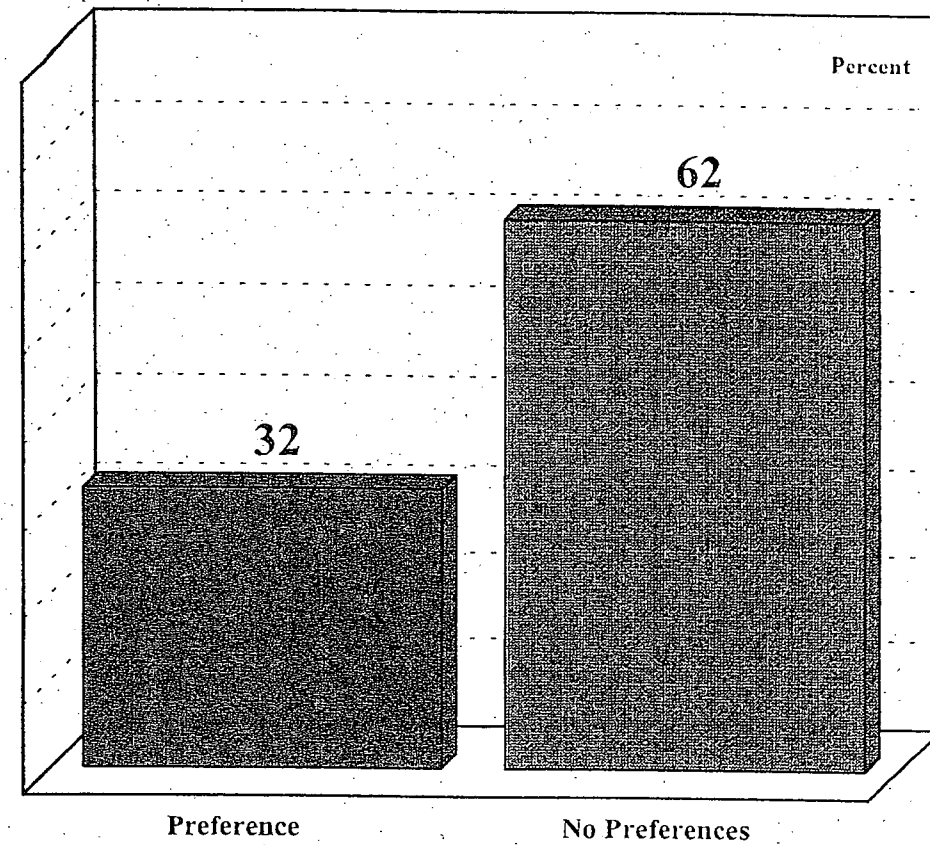
Past Discrimination

Do you believe that where there has been discrimination in the past, preference should be given today?

Preference for African-Americans



Preference for Women



Affirmative Action

COPY

Guarantee Government Contracts to Firms in Poor Locations

Expand Recruiting for Minorities

Goals for the Number of Minorities on Police Forces

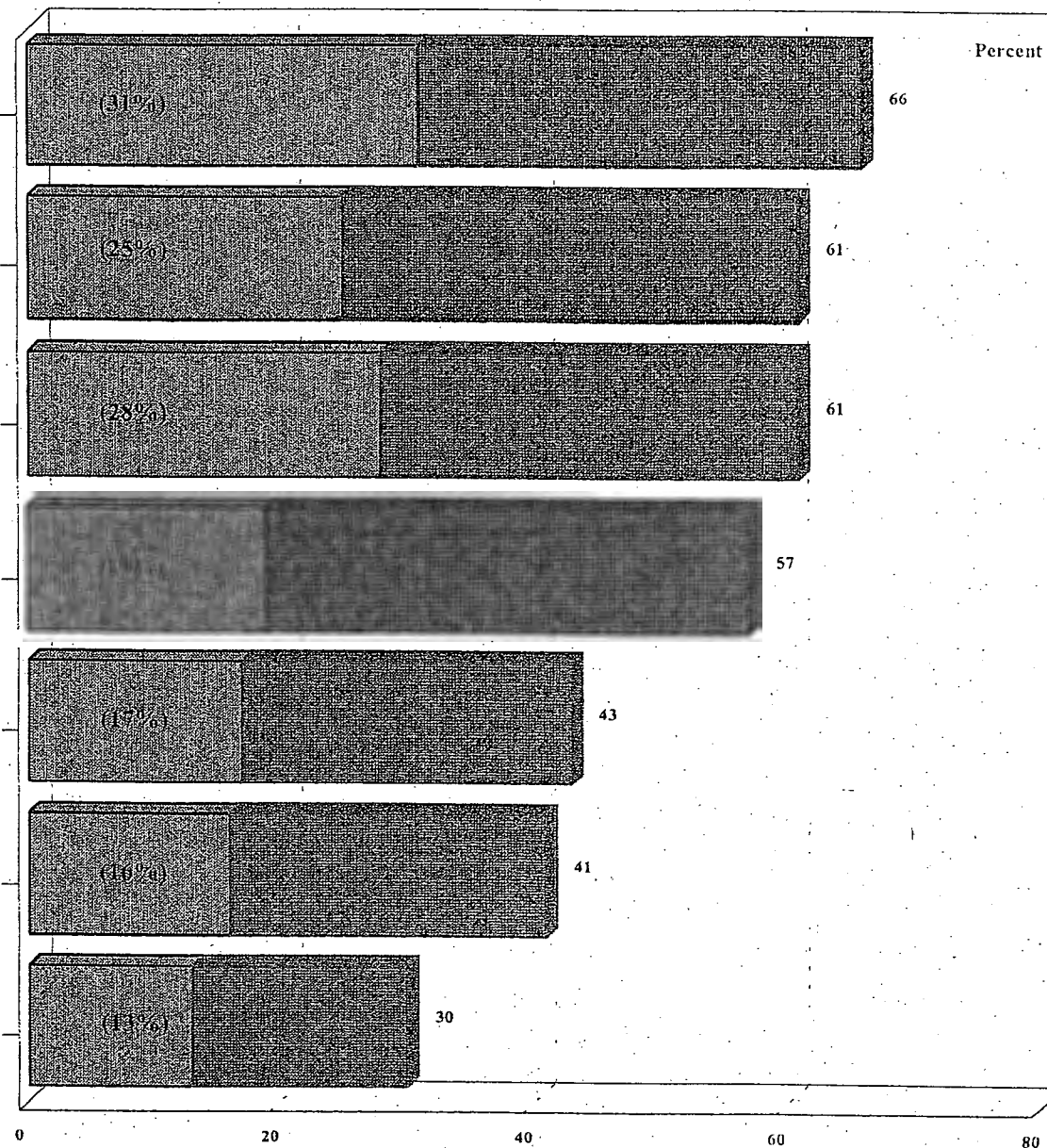
Goals, not Quotas, for Minorities to be employed by a firm

Goals for Minorities in Universities/Colleges

Guarantee Minority Firms Government Contracts

Number of Minorities to be Employed by Firms

■ Total Percent Strongly Favor ■ Somewhat Favor

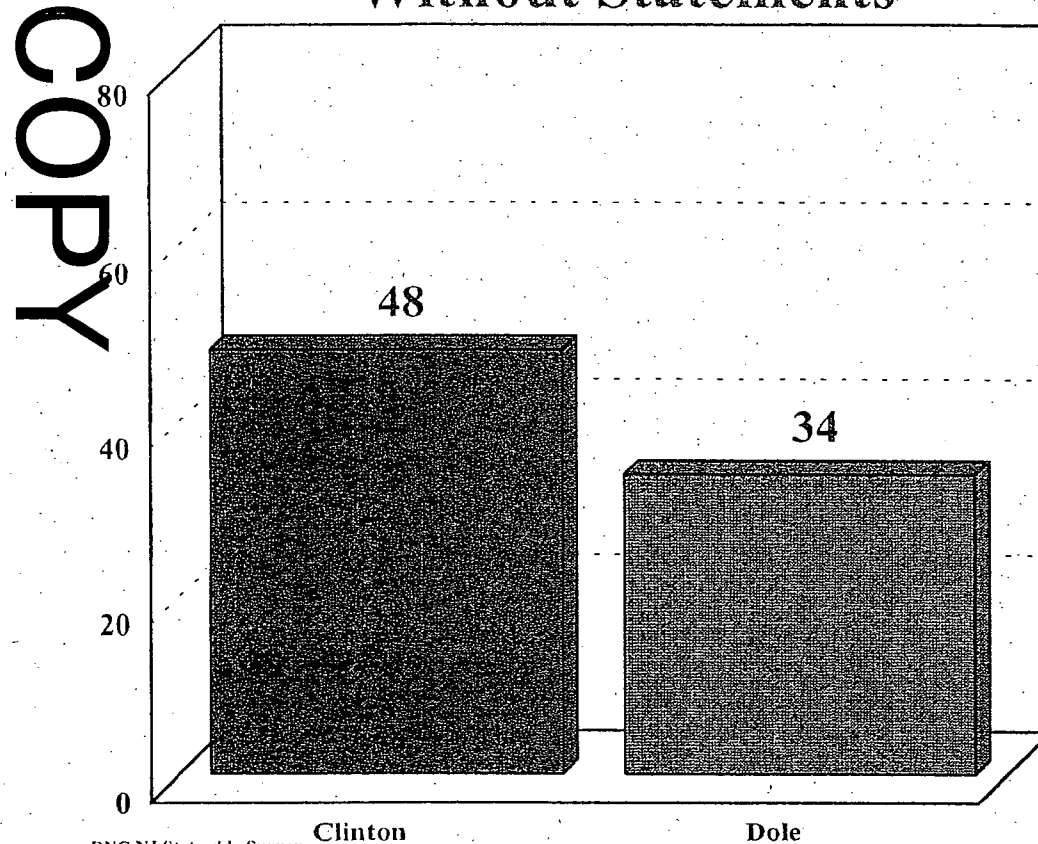


Affirmative Action Profile Vote

President Clinton states that affirmative action remains an important tool in achieving equality for African-Americans and women and making America one country where everyone has a chance to succeed. We've made important progress in ending discrimination, but our work is not done. We should certainly correct the abuses in affirmative action and make sure it follows court guidelines. We should never allow quotas, and an unqualified candidate must never get preference over a qualified one. Reverse discrimination is prohibited. But we still have important work to fight discrimination and achieve equality for minorities and women. So I continue to support affirmative action.

Presidential Candidate Bob Dole recently stated it is time for our country to end affirmative action. While it played an important role at an earlier time, today, it has become a policy of racial and group preferences. It is time to abolish all preferences based on race, gender or national origin. We are all Americans, and we must be judged as individuals, on our own merits. Of course, we must maintain our laws against discrimination and insist our companies and universities hire the best qualified, regardless of their race or gender. But now is the time to end affirmative action and racial group preferences.

Without Statements



DNC NJ Statewide Survey
Greenberg Research Inc.
07/11/95

With Statements

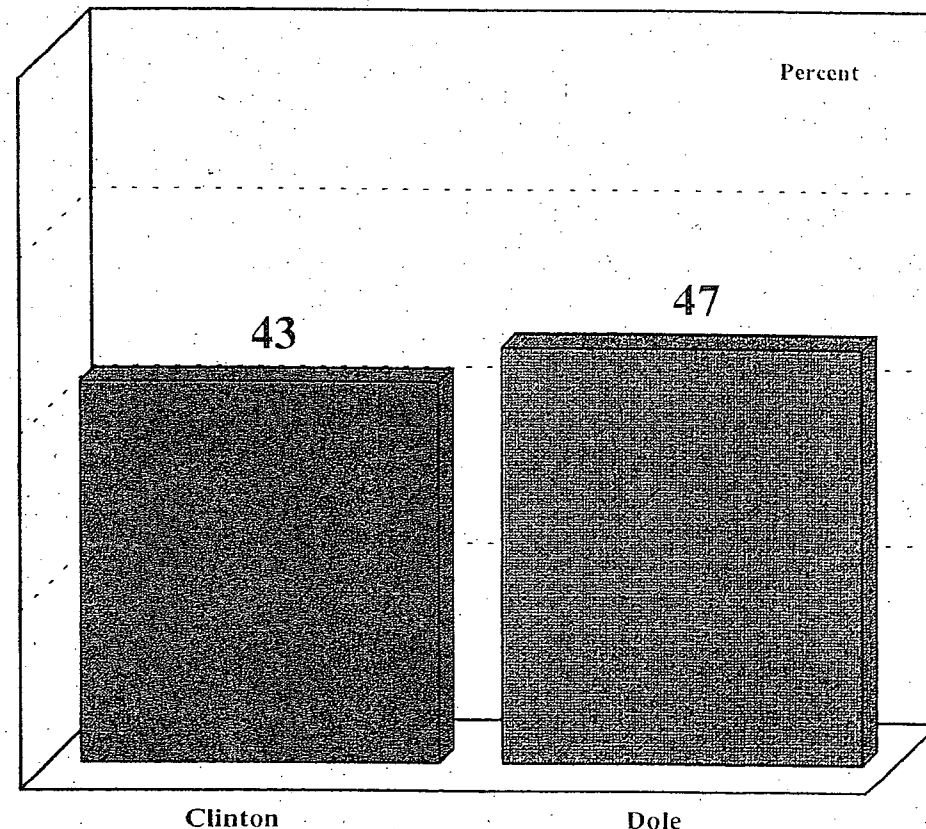


Figure 4
(Q69 & Q74)

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FREQUENCY QUESTIONNAIRE

1. First of all, are you registered to vote at this address?

[IF YES, GO TO Q2]

[IF NO] I'm sorry. Is there a registered voter at home I can speak to?

[REPEAT INTRODUCTION OR TERMINATE]

2. Many people weren't able to vote in the 1992 election for president between George Bush, Bill Clinton, and Ross Perot. How about you? Were you able to vote, or for some other reason were you unable to vote?

Voted	95
Ineligible/too young	5
Did not vote	[TERMINATE]
Can't remember/Don't know	[TERMINATE]
Refused	[TERMINATE]

3. I know it's a long way off, but what are the chances of your voting in the election for president in 1996 -- are you almost certain to vote, will you probably vote, are the chances 50-50, or don't you think you will vote?

Almost certain	91
Probably	9
50-50	[TERMINATE]
Will not vote	[TERMINATE]
(Don't know)	[TERMINATE]

4. Generally speaking, do you think that things in this country are going in the right direction, or do you feel things have gotten pretty seriously off on the wrong track?

Right direction	26
Wrong track	56
(Don't know)	18

5. How would you rate the condition of the national economy these days? Is it very good, fairly good, fairly bad, or very bad?

		Combined
Very good	4	
Fairly good	42	46
Fairly bad	36	
Very bad	14	49
(Neither good nor bad)	3	
(Don't know)	1	

COPY

6. How would you rate the condition of New Jersey's economy these days? Is it very good, fairly good, fairly bad, or very bad?

		Combined
Very good	4	
Fairly good	47	51
Fairly bad	27	
Very bad	15	42
(Neither good nor bad)	5	
(Don't know)	3	

7. Is that mainly because of the economic direction set by Bill Clinton nationally or because of the economic direction set by Christine Whitman in New Jersey?

Clinton	17
Whitman	47
(Both)	16
(Neither)	12
(Don't Know)	8

8. When you think about the economy today, do you see increasing instability or increasing opportunity?

Increasing instability	53
Increasing opportunity	32
(Both)	7
(Don't Know)	7

9. When you think about yourself and your family, do you feel the changes happening today are mostly good or mostly bad?
[FOLLOW UP] Would that be very or pretty (good/bad)?

		Combined
Very good	5	
Pretty good	42	47
Pretty bad	36	
Very bad	8	44
(Don't know)	9	

COPY

Now, I'd like to rate your feelings toward some people and organizations, with one hundred meaning a VERY WARM, FAVORABLE feeling; zero meaning a VERY COLD, UNFAVORABLE feeling; and fifty meaning not particularly warm or cold. You can use any number from zero to one hundred, the higher the number the more favorable your feelings are toward that person or organization. If you have no opinion or never heard of that person or organization, please say so.

[IF DON'T KNOW:] Would you say you are unable to give an opinion of [NAME OF PERSON OR ORGANIZATION], or have you never heard of [NAME OF PERSON OR ORGANIZATION]?

[WRITE IN NUMBER]
[NO OPINION/DK = 101] [NEVER HEARD = 102]

[READ FIRST]

10. George Bush. Give George Bush a rating, with 100 meaning a very warm, favorable feeling; zero meaning a very cold, unfavorable feeling; and 50 meaning not particularly warm or cold

Thermometer

% Warm

% Cool

59

53

24

[ROTATE Q11-Q29]

11. Ross Perot [pah-ROE]

42

29

48

12. Bill Clinton

53

47

32

13. The Republican Party

55

47

30

14. Rush Limbaugh

35

21

49

15. Bill Bradley

57

49

21

16. The Democratic Party

52

41

30

17. Christie Whitman

55

53

30

18. An independent, third political party

44

24

35

19. Jesse Jackson

38

23

51

20. Talk radio host, Bob Grant

32

11

34

21. Bob Dole

50

40

32

22. Newt Gingrich

41

29

48

23. The NRA, National Rifle Association

37

24

52

24. Al Gore

53

47

29

25. The Evangelical Christian political movement

35

12

32

26. Colin Powell

66

60

13

27. Blacks and minorities

64

48

11

28. Feminist women's groups

52

37

30

29. The black clergy organization

53

25

18

COPY

30. How would you rate the job being done by Bill Clinton as President — excellent, good, just fair, or poor?

		Combined
Excellent	4	
Good	34	38
Just fair	45	
Poor	16	61
(Don't know)	0	

31.
32.
33.

34. In next year's election for U.S. Congress, do you plan to vote for the [ROTATE] Democratic candidate or the Republican candidate in your district?

		Combined
Democratic candidate	29	
Lean Democratic	9	38
Republican candidate	34	
Lean Republican	8	42
(Undecided)	20	

34b. Now let me read you two brief statements on affirmative action programs, and ask which one comes closer to your own point of view. [READ BOTH STATEMENTS SLOWLY]

[ROTATE]

Affirmative action programs are still needed to counteract the effects of discrimination against minorities, and are a good idea as long as there are no rigid quotas.

Affirmative action programs have gone too far in favoring minorities, and should be phased out because they unfairly discriminate against whites.

[IF RESPONDENT SELECTS STATEMENT ASK:] Do you feel strongly about that or not so strongly?

		Combined
Needed -- strongly	32	
Needed -- not feel strongly	21	54
Gone too far -- strongly	27	
Gone too far -- not feel strongly	10	37
(Don't know)	9	

COPY

[SPLIT A] 341 Respondents

Now, I want to do something different. I'm going to read you a list of things some people think are problems in New Jersey. Please tell me how much of a problem you think each one is -- a very serious problem, a problem, a little problem, or not a problem.

	Very Serious Problem	A Problem	A Little Problem	Not A Problem	(Don't know)	Total A Problem	Total Not A Problem
--	----------------------------	--------------	------------------------	---------------------	-----------------	-----------------------	---------------------------

[ROTATE Q35-Q42]

35./43. People not being able to get good jobs.

Is that an a very serious problem, a problem,

a little problem, or not a problem?

49	29	12	7	2	91	7
----	----	----	---	---	----	---

36./44. Racism and discrimination against blacks.

24	36	21	16	3	81	16
----	----	----	----	---	----	----

37. Too many people on welfare who
shouldn't be there.

58	27	10	3	2	94	3
----	----	----	---	---	----	---

38./46. Discrimination against white men.

12	22	24	38	5	58	38
----	----	----	----	---	----	----

39./47. Discrimination against women.

20	30	26	21	3	76	21
----	----	----	----	---	----	----

40./48. Qualified students not being able to go to
New Jersey colleges because of quotas for
minorities and other groups.

34	24	15	13	14	73	13
----	----	----	----	----	----	----

41./49. Lack of loans and scholarships to go to
college or get job training.

32	31	17	11	9	80	11
----	----	----	----	---	----	----

42. Government limiting people's right to
bear arms.

20	19	18	35	7	57	35
----	----	----	----	---	----	----

[SPLIT B] 350 RESPONDENTS

43.44.

45. Lack of child care and job training to
help people get off welfare.

52	23	14	7	4	89	7
----	----	----	---	---	----	---

46.47. 48. 49.

50. The rich getting richer and poor poorer.

52	23	10	11	3	85	11
----	----	----	----	---	----	----

[END SPLIT B -- GO TO Q51]

COPY

[ALL RESPONDENTS]

51. Do you think the problems facing minority groups in America's inner cities are more problems of personal responsibility or are they more problems of racism and economic injustice?

Personal responsibility	48
Racism/economic injustice	26
(Both)	19
(Don't know)	6

52. When you hear on the news about someone being accused of making racist statements, what is your first reaction -- do you tend to think the charges about racism are generally justified or do you tend to think the charges of racism are exaggerated?

Justified	21
Exaggerated	56
(Depends)	18
(Don't know)	5

COPY

53./56. Do you believe that where there has been job discrimination against blacks in the past, preference in hiring or promotion should be given today?

Should -- preference	28
Should not -- no preferences	63
(Don't know)	8

54./55. Do you believe that where there has been job discrimination against women in the past, preference in hiring or promotion should be given today?

Should -- preference	32
Should not -- no preferences	62
(Don't know)	6

55:56.

57. In order to fill the hiring goals of an affirmative action program, suppose a company were to give a job to a well qualified black applicant rather than to an equally qualified white applicant. Would you view this as discrimination against the white job applicant, or would you not consider this discrimination?

Discrimination against white applicant	19
Not discrimination against white applicant	69
(Don't know)	12

COPY

Let me read you some specific types of affirmative action programs. Please tell me whether you favor or oppose each one.
 [FOLLOW-UP] Is that strongly or somewhat (Favor/oppose)?

[ROTATE Q58-Q62]	Strongly Favor	Somewhat Favor	Somewhat Oppose	Strongly Oppose	[DK]	Total Favor	Total Oppose
------------------	-------------------	-------------------	--------------------	--------------------	------	----------------	-----------------

[SPLIT C]

58. Setting goals for the number of minorities to be employed in a firm.	13	17	32	34	3	31	67
---	----	----	----	----	---	----	----

59. Set aside programs that guarantee a certain percentage of government contracts to minority owned firms.	16	25	24	30	5	41	54
--	----	----	----	----	---	----	----

[ALL RESPONDENTS]

60./65. Setting goals for the number of minorities to be accepted at university and colleges.	17	26	24	28	5	44	52
--	----	----	----	----	---	----	----

61./66. Requiring expanded recruiting and advertising to get more minorities to apply for positions.	25	36	18	17	4	61	35
---	----	----	----	----	---	----	----

62./67. Settings goals for the number of minorities to be employed by the police so the force will be more diverse and better able to do its job.	28	33	17	15	6	62	32
--	----	----	----	----	---	----	----

[SPLIT SAMPLE D= 1/2 A, 1/2 B] 341 Respondents

63. Setting goals, not quotas, for the number of minorities to be employed in a firm.	19	38	20	16	8	56	36
--	----	----	----	----	---	----	----

64. Set aside programs that guarantee a certain percentage of government contracts to firms that locate in poorer neighborhoods.	31	35	15	14	6	66	28
---	----	----	----	----	---	----	----

65.

66.

67.

[END OF SPLIT D - GO TO Q68]

COPY

I'm going to read you a series of paired items. For each pair, please tell me which one you trust more when it comes to changing affirmative action and anti-discrimination laws and setting a new direction on these issues.

68. First, what about [ROTATE ORDER] the Democrats or the Republicans. Which one do you trust more when it comes to affirmative action and anti-discrimination laws and setting a future direction on these issues.

[FOLLOW UP] Do you feel strongly about that, or not so strongly?

Combined		
Democrats -- strongly	36	
Democrats -- not feel strongly	13	49
Republicans -- not feel strongly	11	
Republicans -- strongly	23	34
(Don't know)	17	

69. What about [ROTATE ORDER] Bob Dole or Bill Clinton. Which one do you trust more when it comes to affirmative action and anti-discrimination laws and setting a future direction on these issues.

[FOLLOW UP] Do you feel strongly about that, or not so strongly?

Combined		
Bob Dole -- strongly	21	
Bob Dole -- not feel strongly	13	34
Bill Clinton -- not feel strongly	15	
Bill Clinton -- strongly	33	48
(Don't know)	18	

COPY

70. President Clinton has said he wants to maintain affirmative action. Bob Dole has said he wants to abolish affirmative action. After hearing that, do you tend to agree more with Bob Dole or more with Bill Clinton?

[FOLLOW UP] Do you agree much more or somewhat more?

		Combined
Dole -- much more	20	
Dole -- somewhat more	23	43
Clinton -- somewhat more	26	
Clinton -- much more	21	47
(Don't know)	10	

71. Let me read you what President Clinton has said recently about affirmative action.

Affirmative action remains an important tool in achieving equality for blacks and women and making America one country where everyone has a chance to succeed. We've made important progress in ending discrimination, but our work is not done. We should certainly correct the abuses in affirmative action and make sure it follows court guidelines. We should never allow quotas, and an unqualified candidate must never get preferences over a qualified one. Reverse discrimination is prohibited. But we still have important work to fight discrimination and achieve equality for minorities and women. So I continue to support affirmative action.

After hearing that, do you feel better or worse about Bill Clinton? [FOLLOW UP] Is that much or somewhat (better/worse)?

		Combined
Much better	27	
Somewhat better	39	66
Somewhat worse	13	
Much worse	8	21
(Don't know)	13	

72. After hearing Clinton take this position, do you think of him as strong or weak? [FOLLOW UP] Is that very or somewhat (strong/weak)?

		Combined
Very strong	20	
Somewhat strong	39	58
Somewhat weak	19	
Very weak	13	32
(Don't know)	9	

COPY

73. Let me read you what Bob Dole has said recently about affirmative action.

It is time for our country to end affirmative action. While it played an important role at an earlier time, today, it has become a policy of racial and group preferences. It is time to abolish all preferences based on race, gender or national origin. We are all Americans, and we must be judged as individuals, on our own merits. Of course, we must maintain our laws against discrimination and insist our companies and universities hire the best qualified, regardless of their race or gender. But now is the time to end affirmative action and racial group preferences.

After hearing that, do you feel better or worse about Bob Dole? **[FOLLOW UP]** Is that very or somewhat (better/worse)?

Combined

Much better	32	
Somewhat better	31	62
Somewhat worse	16	
Much worse	10	26
(Don't know)	12	

74. After hearing those statements, do you tend to agree more with Bob Dole or more with Bill Clinton?
[FOLLOW UP] Is that much or somewhat more?

Combined

Dole -- much more	29	
Dole -- somewhat more	18	47
Clinton -- somewhat more	23	
Clinton -- much more	20	43
(Don't know)	9	

75.

COPY

[SPLIT C] 333 Respondents
76. Let me ask you about Congress and the affirmative action issue. If the Democratic candidate for Congress in your area came out for maintaining affirmative action, would you be more likely or less likely to vote for that candidate, or wouldn't this issue make any difference to you?

[FOLLOW UP:] Is that much or somewhat (more/less) likely?

	Combined
Much more likely	11
Somewhat more likely	13
Somewhat less likely	14
Much less likely	12
No difference	43
(Don't know)	6
	24
	26

[END OF SPLIT C -- GO TO Q78 OR Q79]

[SPLIT D] 341 Respondents

77. Let me ask you about Congress and the affirmative action issue. If the Democratic candidate for Congress in your area came out for ending affirmative action, would you be more likely or less likely to vote for that candidate, or wouldn't this issue make any difference to you?

[FOLLOW UP:] Is that much or somewhat (more/less) likely?

	Combined
Much more likely	8
Somewhat more likely	18
Somewhat less likely	13
Much less likely	11
No difference	41
(Don't know)	8
	27
	24

[END OF SPLIT D -- GO TO Q78 OR Q79]

COPY

[SPLIT A] 341 Respondents

78. The Republican candidate for Congress supports ending racial preferences and affirmative action, particularly in the colleges and university so they will be open to everyone in New Jersey. Would you be more likely or less likely to vote for that candidate or wouldn't these issues make any difference to you?

[FOLLOW UP:] Is that much or somewhat (more/less) likely?

Combined

Much more likely	28	
Somewhat more likely	22	49
Somewhat less likely	7	
Much less likely	7	14
No difference	34	
(Don't know)	3	

[END OF SPLIT A – GO TO Q80]

[SPLIT B] 350 Respondents

79. The Republican candidate for Congress supports ending racial preferences and affirmative action, particularly in the colleges and university so they will be open to everyone in New Jersey. The Republican candidate also supports tough welfare reforms, that limit the number of years on welfare and limits welfare payments for more children? Would you be more likely or less likely to vote for that candidate or wouldn't these issues make any difference to you?

[FOLLOW UP:] Is that much or somewhat (more/less) likely?

Combined

Much more likely	32	
Somewhat more likely	28	60
Somewhat less likely	10	
Much less likely	9	19
No difference	16	
(Don't know)	6	

[END OF SPLIT B – GO TO Q80]

COPY

Finally, I would like to ask you a few questions for statistical purposes.

80. Generally speaking, do you think of yourself as a Republican, a Democrat or what?

	Combined Party w/ Leans
Strong Democrat	17
Weak Democrat	17
Ind - Lean Democrat	9
Independent	7
Ind - Lean Republican	9
Weak Republican	22
Strong Republican	15
(Other)	2
(Don't know/Refused)	2
	43
	46

81. In what year were you born?

18-24	7
25-29	8
30-34	13
35-39	12
40-44	9
45-49	10
50-54	8
55-59	7
60-64	7
Over 64	16
(Don't Know/Refused)	2

82. What is the last year of schooling that you have completed?

1 - 11th grade	5
High school graduate	28
Non-college post H.S. [E.G. TECH]	3
Some college [JR. COLLEGE]	22
College graduate	27
Post-graduate school	14
(Don't know)	1

COPY

83./84. Thinking in political terms, would you say that you are conservative, moderate, or liberal?

		Combined
Liberal	7	
Somewhat liberal	11	
Moderate, closer to liberal	16	18
Moderate	8	
Moderate, closer to conservative	21	
Somewhat conservative	18	
Conservative	12	31
Other	6	
Don't know /Refused	0	

84.

85. What is your religion?

[DO NOT READ CATEGORIES]

Protestant	28
Catholic	50
Jewish	6
(Other/none/refused)	16

86. How often do you attend church -- every week, once or twice a month, several times a year, or hardly ever?

Every week	34
Once or twice a month	17
Several times a year	20
Hardly ever	20
(Never)	5
(Don't know)	3

[ASK ONLY IF PROTESTANT (Q85 = 1)] 197 Respondents

87. Which one of these words best describes your kind of Christianity -- fundamentalist, evangelical, charismatic, pentecostal or moderate to liberal?

Fundamentalist	17
Evangelical	12
Charismatic/pentecostal	7
Moderate to liberal	43
(Something else)	8
(Don't know)	13

88. Are you married, single, separated, divorced, or widowed?

Married	61
Single	22
Separated/divorced	9
Widowed	9
(Don't know)	0

COPY

homemaker?

Employed	65
Unemployed	5
Retired	20
Student	2
Homemaker	6
(Other)	2
(Don't know/refused)	0

90. Are you a member of a labor union? **[IF NO]** Is any member of your household a union member?

Yes: Respondent belongs	19
Household member	9
No member belongs	70
(Don't know/refused)	2

91. How many guns or rifles do you own?

None	82
One	5
Two to three	6
Four or more	5
DK/Ref	2

92. What is your race?

White	86
Black	6
Hispanic [PUERTO RICAN, MEXICAN-AMERICAN, ETC.]	3
(Other)	3
(Don't know/refused)	1

Gender

Male	49
Female	51

93. And what is your zip code? _____

And finally, strictly for verification purposes, can I have just your first name? _____

[THANK YOU VERY MUCH FOR YOUR TIME [TERMINATE]]

COPY

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Deval Patrick to Alexis Herman, re: Affirmative Action Follow-Up (4 pages).	9/14/1995	P5 6296
002. envelope	Address [partial] (1 page)	1995	P6/b(6)

COLLECTION:

Clinton Presidential Records
Public Liaison
Alexis Herman/Ruby Moy
OA/Box Number: 7661

FOLDER TITLE:

[Affirmative Action] [Folder 3]: Affirmative Action [Folder 1]

Whitney Ross
2008-0308-F
wr507

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]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]



Office of the Assistant Attorney General

Washington, D.C. 20530

TELEFACSIMILE COVER SHEET

DATE:

August 14, 1995

TIME:

12:15 pm

TO:

Ruby May Jr Alexis Herman

PHONE:

456-6455

FAX:

456-2983

FROM:

Denise Jones for Deral Patrick

OFFICE OF THE ASSISTANT ATTORNEY GENERAL
CIVIL RIGHTS DIVISION

FAX NUMBER: 202-514-0293

PHONE: 202-514-2151

COMMENTS:

Per conversation, the attachment relates
to this afternoon's 4:30 pm meeting

NUMBER OF PAGES TRANSMITTED (INCLUDING THIS SHEET)

4

(max. 30 pages)

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Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20035

August 14, 1995

~~CONFIDENTIAL~~

MEMORANDUM TO ALEXIS HERMAN

FROM: DEVAL L. PATRICK *DP/oml*
ASSISTANT ATTORNEY GENERAL
CIVIL RIGHTS DIVISION

SUBJECT: AFFIRMATIVE ACTION FOLLOW-UP

Amx
Deval is planning
to call in; but,
if there is a bad
phone connection
or whatever -
This is his memo
R

As I will miss Monday's meeting, I wanted to set out for you a number of my thoughts about following-up on the President's speech and policy roll-out on affirmative action. These will run from the general to the specific, and are in no particular order. (It's the best I can do on the way out of the door on vacation.)

Basically, I believe our theme should be that the President has candidly and programatically addressed every objection the opposition raises to affirmative action; and that those who continue to insist affirmative action is wrong clearly believe that integration itself is wrong.

1. Go On The Offensive. Proponents on this issue gain nothing being on the defense on this issue. We have been on it for too long, and we have allowed myth and hyperbole to define the debate. I believe that the plan that you will develop in this and subsequent meetings should provide for a weekly or a bi-weekly initiatives by key members of the administration and key surrogates, taking the case directly to the public, over the heads of the politicians, in the form of speeches, op-ed and magazine pieces, radio and television appearances (especially talk-radio) and the like.
2. Rapid Response Team. We let outrageous charges go unanswered. It gives us the air of defensiveness. I suggest we form a small "Rapid Response Team" which will answer any claim in any newspaper or magazine or

DETERMINED TO BE AN ADMINISTRATIVE
MARKING Per E.O. 12958 as amended, Sec. 3.3 (c)

Initials: WR Date: 8/14/95

2008-0308-F

AUG 14 1995

on any radio or television program that attacks the President's policy or his initiatives in this area.

3. Talking Points. The Republicans (J. Boehner) put out a set of talking points throughout the Congress immediately after the President's speech. They are rife with distortions and mischaracterizations. Democrats need a set of talking points in similar form that specifically addresses the points made by the Republicans and offers the added facts on the basis of which we believe affirmative action remains justified. We have prepared a draft in our office and Susan will bring them along to Monday's meeting.
4. Pro-Active Legislative Strategy. We should have several points ready to present to the Congress shortly after Labor Day. The President's distressed area initiative should be ready by then. An alternative to the "Rule of Two" should be in form by then. The SBA should have proposals for tightening up graduation and certification requirements and for curbing fronts and pass-throughs by then.

We should role all of this out at once, having touched base with key members of Congress, the minority business community, as well as the others with whom we touched base before.

5. Op-Ed And Magazine Pieces. We should have key persons in and out of the Administration prepared to sign op-ed pieces supporting the President's policy choices and the legislative role-out. Some of those people should be from the Congress, others should be prominent Americans outside of the government. We should consider cultivating Kemp and Bennett, and other conservatives and well-known moderates.
6. Canady/Dole Hearings. Canady is apparently planning hearings in September or October to "parade the horrors" of affirmative action. We should be planning for this now, assisting Democrats on the committee and elsewhere in the House to challenge the accuracy of the accounts that may be offered and developing our own "parade of successes".
7. Book Proposal. I have been approached about writing a short book on my own views on affirmative action, for publication in January. This would not involve any information about the process by which the President arrived at his policy, or any other inside information. Apparently, I can do this within all applicable ethics rules, but I am not sure that it is wise. I would do

it only if it would add in some way to our overall strategy.

8. Dellinger Memo. Twice now, in the New Republic and in a recent Nat Hentoff column in the Washington Post, the press has mischaracterized the diversity argument in the post-Adarand Dellinger memorandum. Both Walter and Mike Small of Walter's office have written short pieces answering this. I believe we should place these rebuttals in major newspapers.

Generally, I believe we have a very important, galvanizing theme here if we remain true to the President's message of a united America. In my experience before a wide variety of audiences, it possible to reach people broadly with these themes. Since they are deeply personal to the President and many of the rest of us, they have an unusual potency. We should exploit it.

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Laramie McNamara to Debbie Fine [partial] (3 pages)	02/03/1995	P6/b(6)
002. agenda	Coffee with Fundraisers from Across the Country (4 pages)	02/07/1995	Personal Misfile
003. memo	Alexis Herman to Mack McLarty, re: Friends/Supporters (3 pages)	2/26/1994	P5 6297
004. memo	Alexis Herman to Mack McLarty, re: Friends/Supporters (3 pages)	2/26/1994	P5 6297 Dup

COLLECTION:

Clinton Presidential Records
Public Liaison
Alexis Herman, Ruby Moy
OA/Box Number: 7661

FOLDER TITLE:

[Affirmative Action] [Folder 3]: Business

Whitney Ross
2008-0308-F
wr509

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]
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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]

February 26, 1994

MEMORANDUM FOR MACK MCLARTY

FROM: ALEXIS HERMAN

SUBJECT: FRIENDS/SUPPORTERS

In response to your recent expression of concern regarding the President's business friends, this is to make you aware of the progression of our plan to spend 1994 focused on friends and supporters of The President.

1) Identifying Additional Supporters

Although we feel that we have good lists of the President's friends who are business people, there is no question that there are other people within the administration with whom business has contact and who are considered friends and their are personal friends of the President who may not appear on any other lists. We are speaking with each relevant office (McLarty, Lader, Rubin, Hernreich) to assemble the most comprehensive list.

2) Integrating Supporters into General Business Activities

Throughout the past year we have included in most, if not all, of our general events representatives of: Clinton/Gore Business Endorsers (9/92), DNC Trustees and Economic Conference participants. This includes events here as well as on the road (i.e. APEC, Houston, Meet'n Greet...). Unfortunately since we still do not have a data base and often work from lists rather than computer files, our records are inadequate and rebuilding them would take an inordinate amount of time.

Toward the effort of formalizing our relationship with DNC Finance, Laura Hartigan and Terry McAuliffe brought me an updated list of Trustees and BLF members broken down by state, so we can do better targeting. Among the activities we are integrating them into are, the activities around the G-7 meeting in Detroit, the White House Conference on Small Business State Meetings which begin in June, and State Opinion Leader meetings for Health Care.

3) Small Business Briefings for Health Care

We have designed a program to recruit small business support for the Health Security Act exclusively from our friends. This helps us recruit support from the likeliest targets in addition to giving them the opportunity to do something more "substantive" than the political activities they are involved in locally. The DNC has given us contact people for each state and we are reaching out to key people with whom we worked on the campaign(see attachments). Priority is being given to key areas of the country where we are in need of support.

4) Letters to The Editor/Press Statements

We are contacting business friends from around the country to write Letters to the Editor or statements that we can release to the press in support of health care reform. Obviously we can do this for other initiatives, but the most pressing need is for health care.

5) Briefings for Friends

We have told Laura, Terry et al, that we will arrange opportunities for business supporters to come to briefings designed exclusively for them, but invited by us so that they feel they are being asked for their input by the White House rather than the DNC. These need to be coordinated with the Crime and Health Care State Opinion Leader meetings, the State Days that Political is organizing and our small business briefings, but we should be able to schedule at least one per month starting the end of March. We will need participation from Senior White House staff and Cabinet members for these meetings. Obviously if the President and Vice President can participate they would be all that much more effective. I also suggested to Laura that we hold briefings for campaign Trustees who have not participated in the current program. This would be a good vehicle for determining why they are not participating, since this group includes some of the President's early and strong supporters.

Ricki told me that in the next day or so she should have a White House event scheduled for the BLF. This will certainly help to bring in a number of the Presidents friends, but this group is by no means "pure" because of all of the corporate people that are members for reasons other than ideology.

Additionally, I have asked Tim Chorba who ran the Georgetown effort for the campaign to provide us with names who may not appear on other lists.

6) CEO Lunches

At the risk of sounding like a broken record, this is the best vehicle we have for recruiting business support and therefore the best vehicle for getting input from/taking care of our friends. I can think of no better reason to reinstate weekly CEO lunches that to protect the President's base. This would enable us to touch supporters in the most meaningful and productive way which will benefit us both with the President's policy initiatives and his politics. Since Labor Day we have had so few CEO Lunches that only one could be designed to include a diverse group of people and on general topics. The others were trade(TPCC) or health care (post-BRT) and not designed for bringing in a variety of people. The loss of the CEO lunch has been a huge blow to our business outreach program.

7) Issues

It is important that we be aware of issues that our business constituents are interested in and that we have adequate substantive materials on the President's policy initiatives. To that end, we have a weekly call with the NEC and we work with the Communications staff assigned to each initiative.

8) Social/Delegation Trips

Again, now that our relationship with the Trustee/BLF programs is more formalized, I am using these lists almost exclusively for additions to social lists and for delegation trips. I have included old lists of CEOs who were helpful with the economic package and NAFTA who to my knowledge have never been invited to a social function as well.

I have attached several previous memos which may provide you with additional information. Let me know if there is anything else you need.

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. memo	Deval Patrick to Alexis Herman, re: Proposed Policy and Initiatives on Affirmative Action (7 pages)	3/9/1995	P5 6298

COLLECTION:

Clinton Presidential Records
Public Liaison
Alexis Herman/Ruby Moy
OA/Box Number: 5916

FOLDER TITLE:

Deval Patrick Affirmative Action Draft

Whitney Ross
2008-0308-F
wr914

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

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~~Confidential~~ Draft
2/27/95

PROPOSED POLICY AND INITIATIVES ON AFFIRMATIVE ACTION

Executive Summary

In recent weeks, we have witnessed the emergence yet again of heated political rhetoric seeking to divide our nation along race lines. "Affirmative Action" has become a code for unfair treatment of white men and for undeserved preferences doled out to unqualified women and minorities.¹ Permitting the current misperceptions to continue unabated poses grave danger to the unity of our nation, and to the distance we have come in overcoming the continuing effects of discrimination. We must move toward a society of full participation.

President Clinton should address this danger head on through a strategy that combines 1) a major speech on the current state of civil rights and full participation in America; 2) an Executive Order that clarifies which forms of affirmative action will be deemed acceptable by this Administration and forbids any misuses of that principle; and 3) creation of a bipartisan, blue-ribbon panel to examine the state of race, ethnicity and gender equality, and intergroup tensions, as America prepares to move into the next century.

This commission would also make recommendations about the best tools to use in meeting our long-range goal of an inclusive society.

- I. Recommendation: Clearly define and strongly support affirmative action, while renouncing misuses in government and in the private sector.

The Administration should stand firm in its commitment to promoting equal opportunity for all Americans. As part of this commitment, we should continue to support carefully crafted measures that take into account race, ethnicity and gender as a means to redress past and present exclusion from opportunities to perform in jobs, education and government contracting.

A. What "Affirmative Action" Means

Affirmative action needs definition. Affirmative action means any plan or program which, based in any part on race, ethnicity, or gender, creates or enhances an opportunity for

¹ The current debate over affirmative action has focused for the most part on preferences based on race, gender and ethnicity. However, the affirmative action principles discussed in this paper apply as well to non-discrimination measures protecting older Americans, disabled persons and veterans.

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qualified persons to perform. This may range from outreach for qualified minorities and women candidates to consideration of race, ethnicity or gender in selecting from among candidates.

In plain terms, and in accordance with Supreme Court precedent, this Administration has supported, and should continue to support, affirmative action plans which do not compromise valid qualifications, and which are flexible, realistic, reviewable and fair. Generally, this means we have supported affirmative action plans where

- (1) race, ethnicity or gender is one among several factors considered;
- (2) fundamental and valid performance qualifications are not compromised;
- (3) numbers used, if any, are genuine goals rather than numerical straightjackets or "quotas," and are based upon the availability of a relevant qualified candidate pool;
- (4) timetables for achieving the goals are reasonable, and the continuing value of the plan is reviewed at appropriate intervals, and
- (5) the vested rights (as distinct from a sense of entitlement) of "innocent bystanders" are respected.

This kind of affirmative action is well within the parameters set by the Supreme Court.²

B. Misuses of Affirmative Action

We should acknowledge that affirmative action is sometimes misused. While such misuses are the exception rather than the rule, they profoundly undermine public confidence in and the practical intent of affirmative action and should be renounced. This occurs:

- (1) where a patently unqualified person receives a benefit over a qualified one;
- (2) where numeric goals are so strict that the plan lacks reasonable flexibility;

² Affirmative action can arise in several different contexts: (1) as a remedy for past discrimination, imposed by a court on a private employer or on a state or local government; (2) voluntarily adopted by private and public employers and educational institutions, as well as by various entities receiving federal financial assistance; and (3) enacted by Congress, adopted pursuant to executive order or adopted by a federal agency pursuant to a grant of authority by Congress. The principles in the text generally apply in each of these contexts, with the fewest restraints arising in private sector activity.

- (3) where the numerical goals bear no relationship to the available pool of qualified candidates;
- (4) where the plan is of indeterminate length, such that it outlasts achievement of its goals; or
- (5) where "innocent bystanders" involuntarily lose vested rights (e.g., seniority).

Each of these are occasions where race overtakes reason and where the original intentions of affirmative action are abandoned.

II. Rationale

Until just 40 years ago, America was racially segregated by both law and custom. Even after Brown v. Board of Education, it was another 20 years before the nation began undertaking steps to eradicate Jim Crow in its most pernicious forms. Meanwhile, America has become an increasingly more multiracial and multiethnic society. Entry of women into traditionally male jobs and schools has also only recently begun to take place.

While substantial progress has been made in eliminating discriminatory barriers to employment, education and government contracting, some barriers, and the effects of previous barriers, remain. African Americans and Hispanics continue to lag far behind whites in rate of employment, income and education level. The unemployment rate for African Americans was more than twice that of whites in 1993, while the median income of African Americans was barely more than one-half that of whites. Hispanics fared only modestly better in each category. Tragically, in 1992, 50.7% of African American children under 6 and 44% of Hispanic children lived under the poverty level, while only 14.4% of white children did so. The overall poverty rates were 33.3% for African Americans, 29.3% for Hispanics and 11.6% for whites.

Unequal access to education plays an important role in creating and perpetuating these disparities. In 1993, less than 3% of college graduates were unemployed, but whereas 22.6% of whites had college degrees, only 12.2% of African Americans and 9.0% of Hispanics did. As the nature of our economy evolves, educational credentials will become even more crucial in determining whether individuals can rise into the middle class or will be consigned to poverty-level jobs or unemployment.

Affirmative action on behalf of women also remains warranted. Although the unemployment rate for women is comparable to that for men, women remain severely underrepresented in most stereotypically male occupations, such as the construction trades, and as police, firefighters, scientists and engineers. While women have made inroads at the entry level of certain professions, such as business, law and

medicine, they have not been promoted as would have been expected.

It is clear from these statistics that many individuals, because of race and ethnicity, have been denied the tools and the opportunity to share in and contribute to the wealth of our nation. The exclusion of these people from our economy constitutes a tremendous loss of human resources that we should not tolerate. Because substantial discrimination and its effects persist, we cannot -- as some have suggested -- abandon consideration of race, national origin and sex altogether.

Reliance on economic disadvantage instead of race, ethnicity and sex is not an acceptable alternative. First, the problem being addressed is not limited to the effects of past discrimination and the economic disadvantage resulting from that discrimination. Rather, current discrimination continues to produce a need for remedial action. The Equal Employment Opportunity Commission received over 90,000 complaints of employment discrimination last year and the docket of the Civil Rights Division is filled with cases of discrimination on the basis of race, ethnicity and sex in employment, housing, education and voting. Where the reason for exclusion from opportunity is race, ethnicity or sex, it is not a sufficient or properly focused response to prefer individuals based on economic disadvantage.

Moreover, one of the legacies of our history of discrimination against minorities and women is a history of stereotyping that makes it difficult for many in our society to evaluate individuals on the basis of merit. Dehumanizing stereotypes about African Americans, other minorities and women, many of which developed to justify treatment of individuals as inferior, persist and make consciousness of race, ethnicity and sex necessary if these stereotypes are not to continue to inflict disadvantage.

In addition, a preference based on economic disadvantage does not offer the same prospect of integrating our places of employment and education, thereby helping us to know each other and overcome stereotypes that perpetuate exclusion. And, in the final analysis, it is unlikely that an applicant will feel the sting of rejection any less painfully because he or she perceives that it was based on economic status, rather than race, ethnicity or sex. Indeed, the notion of a preference based on economic class that is not a remedy for any specific harm, such as racial discrimination, is likely to offend the sense of fairness of many in our society.

As the President has often stated, affirmative action -- within certain constraints -- can be a useful tool to help achieve the national goal of equal opportunity and full

participation. At the same time, it is important to address real and perceived misuses of affirmative action programs. The President and other senior officials have repeatedly eschewed numerical straitjackets and other inflexible methods which discourage regard for valid qualifications and discredit affirmative action as a proper response to the historic problem of exclusion of minorities and women. Some of these misuses -- and the mythology which has grown up around them -- may have spawned the so-called "Civil Rights Initiative" in California and other legislative measures to limit affirmative action or eliminate it altogether. By educating the public about both the ends and the means of affirmative action, and condemning variants on it, the Administration addresses many of the concerns detractors raise.³

This approach -- strong support for flexible affirmative action while renouncing affirmative action misuses -- is supported by the civil rights enforcement officers in the Administration. Further, it is consistent with positions the Administration has taken in cases and in public comments. It is also likely to be supported by several key party constituents, including minorities, women and organized labor. Business leaders and state and local government administrators have also supported this type of affirmative action. If placed in its larger historical and present-day factual context, other Americans can, too.

III. The Test

For every existing or future affirmative action plan, the Administration should ask itself whether the program serves to promote opportunities for hitherto excluded Americans to participate without unnecessarily limiting the opportunities of others. The goal must be to advance the Nation as a whole without leaving out or ignoring the contribution of any American.

IV. Presidential Initiatives

³ Given the pendency of Adarand Constructors, Inc. v. Peña in the Supreme Court, it is inappropriate to propose changes in affirmative action in government contracting at this time. In that case, the Administration has argued in support of preferences in contracting directed to disadvantaged business enterprises, with a presumption that minority status implies disadvantage. The Court's decision may clarify the permissible scope of such preferences and provide an occasion for reexamination. At that time it may be more appropriate to consider whether certain preferences in contracting should continue in accordance with the principles set forth above.

A. Major Address on Civil Rights

The President should make a major address to the nation on civil rights. This address will serve to reaffirm this Administration's commitment to eradicating discrimination and bringing together a unified nation. The President should directly and forcefully attack current racial demagoguery. This address will also serve to put the affirmative action debate in proper context. The address is the opportunity for the President to announce concrete short- and long-term measures that reflect his commitment to eradicating discrimination and providing equal opportunity. Other senior officials in the Administration and key leaders outside the Administration should be enlisted to reinforce and expand upon this message.

B. Proposed Presidential Directive or Executive Order

To clarify the parameters and address the misuses of affirmative action discussed above, the President should issue a Presidential Directive or Executive Order. It should (1) define the kind of affirmative action we support and set forth the governing principle we follow, (2) renounce misuse of affirmative action, and (3) direct all federal agencies to review their programs in light of such principles.

It is important to note that there are already existing Executive Orders and regulations that address these issues, including, for example, Executive Order 11246, as amended, which authorizes the Department of Labor's contract compliance program. Indeed, the existing regulations and orders requiring federal contractors to have affirmative action plans have clear prohibitions against the use of quotas. Nonetheless, clarification of the appropriate uses of affirmative action by all government agencies through Executive Order would provide a vehicle for detailing the Administration's position, without taking on the extreme risks of dealing with a volatile political issue in the current hostile legislative climate.

C. Creation of a Commission

At the same time that he issues the new Executive Order or Directive, the President should establish a blue ribbon Commission to examine the long range challenge of race, ethnicity and gender relations, and intergroup tensions in America and to propose solutions. To be most effective, the President should appoint a chair of the Commission who is highly regarded among Americans such as General Colin Powell, along with a leading, well-respected Democrat. Social science experts also should be included. The Commission should be directed to conduct hearings in local communities around the nation, in order to create a productive and responsible national dialogue leading to a consensus concerning the best methods to ensure that all

Americans continue to have opportunities to participate fully in the American dream. The Commission should issue its report in the Spring of 1996, on the occasion of which the President should re-emphasize the theme of national unity and full participation of all Americans.

The Commission should be a vehicle both to gather important information regarding the current state of opportunity in America, and to limit the dangerous and divisive rhetoric that threatens to engulf the 1996 campaign. Our race relations are too fragile, and too potentially explosive, to permit political demagogues to tear apart our nation's fabric. The Commission is the most effective device to address this serious problem.

V. Conclusion

The President must act quickly to control the debate on race and stop the divisive rhetoric that is infecting the national conversation on this most crucial issue. He can begin to do this by:

- (1) Delivering a major speech on the current state of civil rights and full participation in America;
- (2) Issuing an Executive Order that reaffirms support for the core principle of affirmative action but also bans the misuse of that principle; and
- (3) Creating a bipartisan, blue-ribbon Commission to address the long range state of opportunity in America.

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. schedule	President's Schedule [partial] (1 page)	04/13/1995	P6/b(6)
002. note	POTUS (2 pages)	n.d.	P5 6324
003. schedule	National Rural Conference, Ames, Iowa [partial] (1 page)	04/25/1995	P6/b(6)

COLLECTION:

Clinton Presidential Records
WHORM-Subject File-General
FG001-07
OA/Box Number: 21793

FOLDER TITLE:

289053SS

Whitney Ross
2008-0308-F
wr496

RESTRICTION CODES

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

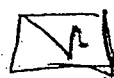
- P1 National Security Classified Information [(a)(1) of the PRA]
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Foreign Policy Talking Points

April 12, 1995

Access/Ames

→ Access to financial records: Cong Legats
Ames on our watch

México

Guatemala

→ IOB - sp com
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Haiti

Israel → Arafat → Amos

Iran

Iraq

→ Dip → is groups → emergency
→ with travel restrict.
→ Shut & Birt →

Libya

Egypt

Turkey

Pakistan

→ Keep Pakistan on: Non-Proxy

North Korea

→ Negot w/ them on K for LWR
Agree in LWR → Stop / how much they

Bosnia and Croatia

→ Use circumstances

Russia

→ to Sals

Burundi

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