

# Fund-raising calls still under investigation

to be continues despite protests against decision not to appoint special counsel



Reno

WASHINGTON (AP) — The House breathed easier today even though Republicans angrily dissected Attorney General Janet Reno's decision against an independent counsel and her investigators plowed ahead. Republicans in Congress were eager to capitalize on a public split with FBI Director Louis J. Freeh over whether to send an outside prosecutor to look into fund-raising phone calls by Clinton and Vice President Al Gore.

Taking her decision right to Tuesday's deadline, Reno rejected an independent counsel, arguing that Clinton and Gore had not broken any federal laws by making fund-raising calls from the White House. She defended her move with 69 pages of legal analysis and investigative findings and held a news conference, which no attorney general ever had done at such a moment. A stern-faced Reno warned that the decision "does not mean that a person has been exonerated or that the work of the campaign finance task force has ended." Clinton and Gore avoided gloating. Clinton's one-sentence reaction: "The attorney general made her decision based on a careful review of the law and the facts, and that's as it should be." Gore said Reno "put this issue of the phone calls behind us once and for all." Responding to Republican criticism, Gore said today, "It's obvious there will be continued partisan attacks with political motivation. But,

just remember, when you hear those drumbeats, the people who are behind the drumbeats are the same people who are trying to prevent the passage of campaign finance reform." White House press secretary Mike McCurry offered a behind-the-scenes anecdote reflecting presidential nonchalance: "What time's the game?" Clinton asked minutes after hearing of Reno's ruling, his attention already turned to the Washington Wizards' first basketball game in their new arena. Rep. Dan Burton, R-Ind., said he would summon Reno and Freeh to a hearing next Tuesday of the House committee he chairs that is investigating campaign funding. "I think right now she is trying to protect the president," Burton said. It was not immediately clear either would be available that day. "It is now public that the director of the FBI shares my view that the conflicts of interest facing the Department of Justice are so great as to require the appointment of an in-

dependent counsel," Senate Judiciary Committee Chairman Orrin Hatch, R-Utah, said. Sen. Arlen Specter, R-Pa., wrote Freeh seeking a copy of his memo to Reno that, law enforcement officials said, argued she should seek an independent counsel to probe a broad range of allegations on grounds she has a conflict investigating Clinton. The chairman of the Senate committee investigating campaign finance, Fred Thompson, R-Tenn., accused Reno of "misinterpreting the law." He called her focus on telephone solicitations too narrow, and said her legal interpretation of the law had "hamstrung" FBI investigators. Reno denied that: "I want to make clear to everyone I am not imposing any constraint on the task force." The telephone fund-raising inquiry was pushed into the spotlight by Republican demands and timetables set by the independent counsel law.

# Supreme Court nears decision in harassment case

WASHINGTON (AP) — The Supreme Court today appeared ready to rule that sexual harassment can be illegal even when the harasser and victim are the same sex. Hearing arguments in the case of a Louisiana oil rig worker who says he was sexually pursued and harassed by his male supervisor, six of the nine justices openly criticized a ruling that barred him from invoking a federal law that bans on-the-job discrimination. A federal appeals court ruled that the law, known as Title VII of the Civil Rights Act of 1964, does not cover same-sex harassment. "I don't see how we could possibly sustain the ruling ... that (same-sex harassment) never could be" illegally discriminatory, Chief Justice William H. Rehnquist said at one point in the spirited 60-minute session. Justices Ruth Bader Ginsburg, David H. Souter, John Paul Stevens, Antonin Scalia and Stephen G. Breyer also voiced grave doubts about ruling that the federal law never can apply to same-sex harassment. "A Jew could discriminate against a Jew," Breyer said. "An African-American against an African-American, an Italian against an Italian. Why isn't it possible that a homosexual ... could discriminate," Breyer said. The highest court's decision, expected by July, could pack enormous importance for American business. Employers, civil rights and gay rights groups are closely watching Joseph Oncale's attempt to sue his former employer under Title VII. Baton Rouge, La., lawyer Nicholas Canaday III argued for Oncale that he should have an opportunity to take his allegations before a jury. Whether he was the victim of federally banned bias "is a question of fact that needs to move to a trier of fact," he said.

Clinton administration lawyer Edwin Kneeder also argued in favor of allowing such lawsuits under Title VII. Houston lawyer Harry Reasoner, arguing for Oncale's former employer, said Congress never intended to have the 1964 law extend to "relationships between people of the same sex." "There is no evidence that they intended to federalize the regulation of conduct between men and men," Reasoner said. Oncale's lawsuit stems from his four months of work in 1991 as a roustabout assigned to a Gulf of Mexico oil rig with Sundowner Offshore Services. His lawsuit against Sundowner and three men said he was sexually assaulted, battered, touched and

# Clinton wraps up first year of line-item veto

WASHINGTON (AP) — President Clinton has completed his first year of wielding historic line-item veto power. The tally: \$1.9 billion in five savings, a few embarrassing blunders and a lot of political headaches. I think that we struck a balance that was perfect," White House spokesman Mike McCurry said Tuesday after Clinton vetoed his final proposal of the year. After Clinton used the line-item veto to kill \$5 million for Montana State University research on environmentally friendly buildings, a look back shows the results have been mixed. Overall, Clinton cast 82 vetoes saving \$1.9 billion over the next five years. That is real money, only a tiny fraction — about 0.02 percent — of the \$9 trillion the government will spend during that period. That has prompted many conservatives who fight for years to give the president the line-item veto power to say Clinton did not use it enough. "I'd like to see far more items line-item vetoed," John McCain, R-Ariz., said. Clinton supported the line-item veto during his 92 election campaign to show he was a moderate Democrat willing to cut spending. And when he

used it for the first time, on Aug. 11, by killing three items in budget-balancing and tax cuts bills, he declared, "The Washington rules have changed for good, and for the good of the American people." He then vetoed 38 military construction projects in the first annual spending bill for 1998. In response, angry lawmakers voted overwhelmingly to restore them and seem likely to complete that process early next year. After that, Clinton used the authority as a scalpel, not a bludgeon. In the 12 remaining 1998 spending bills, a chastened Clinton cast 41 vetoes. He cast no vetoes in four of the spending bills — including the biggest domestic measure controlling \$80 billion for health, education, welfare and labor programs. Critics say Clinton left billions in home-district pork untouched. Tom Schatz, president of the conservative Citizens Against Government Waste, estimates that spending bills carry at least \$10 billion annually in such projects. "It seemed they'd have just as soon forget Rep. David Minge, D-Minn., an advocate of the line-item veto, said. As Congress wound toward adjournment last month with a debate over Clinton's "fast track"

trade initiative some House Democrats offered advice to administration officials: Hitting farm-state Democrats with line-item vetoes in the agriculture spending bill would make them less likely to back Clinton on trade. In the end, Clinton made just five line-item vetoes in the agriculture measure — and two affected Democrats already opposed his trade plan. Administration officials deny any link between the vetoes and peripheral issues. "They call up and say they've got a project" they want to save, White House budget director Franklin Raines said. "Were they in their own minds making a fast-track link or not? I didn't get into that." In one measure of the perception in Capitol Hill, Rep. Mike Parker, R-Miss., said he telephoned Raines' deputy, Jack Lew, to advise him that "it's not a smart thing" to use the line-item veto against projects of lawmakers leaning toward Clinton's trade proposal. After the trade fight was over and Congress adjourned for the year, Clinton vetoed \$1 million for a dam in Parker's office. Parker said he believes that veto was "kind of a 'gotcha' thing" by the administration, but White House budget office spokesman Lawrence Haas denied that.

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HARRY REASONER  
DEFENSE ATTORNEY

threatened with rape by his direct supervisor, John Lyons, and a second supervisor, Danny Pippen. Another defendant, co-worker Brandon Johnson, was accused of assisting in one of the alleged incidents. All three men named as defendants say no harassment occurred, and portray their conduct as sexually oriented hazing or locker-room horseplay. Oncale's lawsuit said he twice reported the situation to his employer's highest-ranking representative on the job site, but no action was taken. Oncale quit, the lawsuit said, because he feared the harassment would escalate to rape.

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