Kara Hultgreen's Times

As a reporter for an independent weekly newspaper that closely follows the Navy, I was so disappointed to find a glaring inaccuracy in John Corry's article "The Death of Kara Hultgreen" (*TAS*, June 1995).

Mr. Corry notes that the Navy's Mishap Report was leaked to several news organizations, which took little notice. To the contrary, *Navy Times* received a copy of the MIR and reported its conclusions quickly and responsibly. Unlike most media reports on the MIR, our story noted the similarities between its conclusions and those included earlier in the "JAGMAN" report. We also put the full text of the MIR on line.

Military City Online, a part of America Online, is operated by the Army Times Publishing Company, which owns *Navy Times*. It was the decision of the editors at *Navy Times* to put the MIR online, not "whoever leaked it to the news organizations," as stated in the article.

Since publishing the MIR, we have received many letters and commentaries condemning us for this "irresponsible," "contemptible," and "unprofessional" decision. We stand by the decision, however, as both responsible journalism and a responsible use of on-line technology.

—Becky Garrison
Staff writer, Navy Times
Springfield, Virginia

Thanks to you and John Corry for bringing out the truth about "The Death of Kara Hultgreen." I can assure you that thousands of old fighter pilots, those who know a hammerhead stall from a falling leaf, saw right through that 4-second video the Navy let out before the media smoke screen was in place. We saw pilot error from beginning to end.

We saw an LSO desperately waving off a pilot who was frozen at the controls. The pilot finally did respond, by jamming on full throttle and killing the left engine. (Rudder didn't kill the engine; throttle did. You can replicate that in the family car.) The right engine assumed full thrust, pulling the right wing forward and causing the aircraft to yaw and roll to the left. The rest was inevitable.

Women may or may not be qualified to serve as carrier-based fighter pilots. Kara Hultgreen was not. Responsibility for her fate rests at least in part on such feminists as Pat Schroeder and their femininny followers. *—T.E. Altgilbers*
Springfield, Pennsylvania

I believe John Corry made several errors when he continually stated the engine "stalled." I believe the Navy's version is the correct one: the engine "failed." Trying to maintain a "nose up" or "level" altitude when there is a loss of power causes an aircraft, or more specifically, the wing, to stall (more drag than lift was created), which in turn causes the aircraft to pitch nose down. Adding rudder would cause a normal aircraft to "yaw"; however, in stalled flight, this could cause a roll or (given enough altitude) a spin. This condition can't be changed unless opposite rudder is applied and the nose is forced down, allowing the plane to actually fly again. Obviously Lt. Hultgreen didn't have enough altitude to complete this maneuver.

This version, simplistic as it may sound as I am not aware of the entire details, explains what a "stalled" aircraft is as opposed to a stalled engine. A "stalled" aircraft can't fly, it drops like a rock. Although his Hultgreen column was a good piece of writing, Mr. Corry should have been aware that many aviators would be reading his article and he should be "aviationally correct" when the use of terms unfamiliar to him are involved.

—R. Winczura
Chilliwack, British Columbia

John Corry replies:

I regret that I did not give the *Navy Times* credit for putting the MIR online, but the rest of Ms. Garrison's complaint leaves me baffled. I wrote that the MIR attracted little attention in the press, which was true. And if a *Navy Times* story noted the similarities between the MIR and the public "JAGMAN" report, I don't think Ms. Garrison should boast about it. My story was about the discrepancies between the two. Meanwhile, I have no intention of arguing with R. Winczura, except to point out that the Navy pilots I spoke to all said the engine stalled.

You're Gonna Make It After All

Kudos to James Bovard ("The Lame Game," *TAS*, July 1995) for showing just how big a monstrosity the Americans With Disabilities Act really is! While the listing of ludicrous court cases is enough to make one gag, Mr. Bovard only scratches the surface by not reporting on the *threatened* law suits that haven't made it to court, but nonetheless may have an incredible chilling effect on businesses. Allow me a personal example.

While working as the distribution supervisor for MTM Enterprises, I received a call from an activist claiming to represent an organization for the hearing-impaired. He demanded to know why "The Mary Tyler Moore Show" was not closed-captioned when seen on cable television. I explained that the hearing impaired were important viewers to us, which is why all of our *current* shows are in fact closed-captioned. However, "The Mary Tyler Moore Show" was produced in the 1970s, before captioning was an industry standard. To put closed-captioning on the entire series now would cost us over $50,000 as well as the cable broadcaster $100,000 to reformat their tapes.

Apparently, this was no excuse. The caller cited a passage of the Americans With Disabilities Act, which supposedly requires all prime time television programming to be closed-captioned. I responded that I was unfamiliar with this passage, but that it seemed rather silly. If true, then the adult cable channels would have to close-caption all of their shows from 8 to 11 p.m. To my astonishment, rather than agreeing with me on the silliness of the passage, the caller said he would investigate possible legal action against those cable broadcasters as well!

I guess I was one of the lucky ones, since I did not receive a follow-up call from this self-appointed compassion crusader. I was also never able to confirm the precise contents of the Americans With Disabilities Act (I don't have a free month to spare in order to read it). Should special interests pursue such flapdoodle with legal consent, however, the hearing-impaired may sleep well at night knowing that they will be able to read "Oooh!", "Aaah!", and

(continued on page 12)

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"Oh yeah, baby!" the next time they sit down to watch *Debbie Does Dallas.*

—Justin Levine
Playa Del Rey, California

James Bovard attacks the Americans with Disabilities Act (ADA).

(1) His major premise that "there are virtually no limits" to what the ADA requires or that it gives "some people [the] legal power to make unlimited demands" is neither accurate nor a fair statement of the law. And he knows or should know better. The law is clear. It requires only "reasonable accommodations;" and then only if the person seeking the accommodation is able to "perform the essential functions" of the position, and further only if such accommodation would not cause the employer "undue hardship."

Thus it is a narrowly crafted recognition of both economic realities and common sense.

(2) Bovard mistakenly thinks the ADA is about "those who cannot help themselves." As should be clear from the summary of the ADA in paragraph 1, it is about qualified people having the opportunity to participate in public and governmental functions and get jobs.

(3) Could it be that Bovard has a medical model of people with disabilities in mind? He may be thinking of them as sick or ill; as needing to be fixed or cured; as best left in the custody of professionals or others who know best. As he implies in describing the Webster School and the BART, perhaps they should be segregated in their own facilities.

(4) Rather, an "independent living" model underlies the ADA. It seeks to promote self-reliance and responsibility. It sees the problem for people with disabilities as one of dependency and exclusion caused by barriers created by others. If these barriers are removed, independence and integration become possible. "Universal design" that benefits the entire society ought to be the norm.

(5) Sure, there are abuses and mistaken outcomes. That's the nature of the legal process. But what better way to make sure that the abilities of people with disabilities are available to all of us? What better way to accommodate the dignity of all persons? The case-by-case system gets it right much more than not. And it should be pointed out that all of the final court decisions Bovard refers to rule for the employer.

(6) Bovard offers as an option for people with disabilities a system of bribes. He says "it would be far more effective" to provide "subsidies to employers" who hire such people. He at least acknowledges the market has failed for people with disabilities. The ADA is a positive societal good. If they are qualified and if reasonable accommodations can be made and if no undue hardship is placed on the employer, a person with a disability has a "right" to compete.

This hardly warrants the verbal excesses and slanders of Bovard and others.

—Walter J. Kendall III
Professor of Law
The John Marshall Law School
Chicago, Illinois

James Bovard categorizes narcolepsy among a "proliferation of new disabilities." Mr. Bovard should have researched medical information before writing. Narcolepsy was first diagnosed in the early 1900s. Dr. William Dement of Stanford University began the in-depth research in the late 1960s. Narcolepsy is an inherited physical illness that attacks the person's ability to stay awake and causes sudden loss of the body muscle tone. Sudden loss of muscle tone is called cataplexy.

My mother spent a lifetime undiagnosed, confused, and unable to stay awake. Labeled lazy and a "ne'er-do-well," she was unable to stay married, hold a job, or do housework. I had to begin working at age 15. Then as a young widow, alone, I supported and raised my three children without welfare assistance. I am not now on disability by choice. Sleepiness denied me education, and life was a constant battle to stay awake and employed. After severe loss of muscle tone began, my years of hard work to a decent income was for naught. If I got to work on time, often, I could not get from my car into the office. Without muscles you can't even crawl. If there had been ADA in 1982, maybe I could have stayed employed through understanding and with the help of flex hours.

Mr. Bovard, it is stupid, uneducated comments that perpetuate misunderstanding of narcolepsy. To categorize a medically established, physical disorder with excessive body odors, obesity, drug addiction, chemical sensitivity, and sexual addiction is unforgivable. Many narcoleptics wind up unemployed, housebound, unable to drive, unable to shop, even unable to answer the phone because of cataplexy. Many suffer multiple concussions, fractures, and even death from injuries sustained during a fall. In Washington State, accommodations for narcolepsy, including flex-time, are part of the state regulations. I have sent you medical information about narcolepsy along with the Washington State accommodations pamphlet. I suggest reading the information and then apologizing to the 300,000 narcoleptics in this nation. No apology, then consider this my letter of cancellation to *The American Spectator.*

—Lorraine Highland
Ashford, Washington

I would like to comment on James Bovard's lame article. There are always those who will "use" a new law to improve the condition of their pocketbooks, and ADA is no different; and if our justice system sees fit to allow them to prevail in court, that's another subject.

My particular disappointment was Mr. Bovard's assumption that in order for students to bypass a course, they simply find a friendly shrink, and cross his palm to receive an illegible note that certifies them as "-disabled." Nothing could be further from the truth throughout the university system in which my school is located. The Board of Regents has established a set of testing criteria by which all students declaring a learning disability must be evaluated. These evaluations are neither a brief encounter with a psychologist nor cheap. The student and his/her family must complete a pre-test packet of historical information, the student has a pre-test interview of approximately one hour, followed the next day by an eight-hour battery of tests—and finally a two-hour post-test debriefing that the parents may also be invited to attend. At this time the student is told whether or not a learning disability has been diagnosed and, if so, to which academic accommodations he/she is entitled. Only then may the student request accommodations in the classroom that are specific to their disability.

This testing procedure insures that all students declaring a learning disability within this university system are assessed in a standardized way. The credibility of this program has been a

(continued on page 70)

ON THE PROWL

The New Republican Agenda

Bob Dole has decided to cooperate with *Washington Post* reporter **Bob Woodward** on a behind-the-scenes account of the political nominating process, with a focus on the GOP front-runner. Woodward is now ushered into regularly scheduled interviews with both Dole and his top lieutenants—a far cry from the days of Deep Throat. Some officials from the Dole campaign argued against the project, voicing worries that it will give Woodward enough rope to hang their candidate. Others argued that they had more to fear from Woodward if they didn't cooperate.

Meanwhile, the buzz in political circles is that Dole's longstanding ties to **Dwayne Andreas**, of the agribusiness conglomerate Archer Daniels Midland, could return to haunt him once again. Democrats speak, perhaps wishfully, of "ADM-gate," implicating the Senate majority leader in an explicit cash-for-votes exchange. The **Phil Gramm** campaign has commissioned opposition research into the matter, but Dole's people say that Gramm, as head of the Republican Senatorial Campaign Committee, called on Andreas, too.

Chewed by the Fat

As reported by the Prowler last month, Assistant Secretary of the Treasury **Leslie Samuels** got into trouble with Ways and Means Chairman Bill Archer when he could not explain why Treasury continues to rely on tax-revenue numbers even congressional Democrats reject. Now Samuels is in trouble for what he did tell Archer, and it's the White House that's mad this time. In July, Samuels was called into the Oval Office and chewed out by a livid Bill Clinton himself for giving Archer's committee the impression that the administration will give serious consideration to tax reform before the 1996 elections.

Ron Brown Doesn't Get It

For almost a year, White House sources have been telling any journalist who would listen that Commerce Secretary **Ron Brown** would have no serious role in the Clinton '96 re-election campaign due to his high-profile ethical and legal difficulties.

Someone must have forgotten to tell Brown. Even after a U.S. Court of Appeals panel selected Florida attorney **Daniel S. Pearson** as independent counsel to investigate Brown on charges that he accepted nearly $500,000 from former business partner **Nolanda Hill** and filed false financial-disclosure forms, Brown is said to be telling friends that he may yet serve as chairman of Clinton's re-election campaign. "It isn't like he's saying this to cosmetically hide his disappointment at being locked out of the campaign," says an acquaintance. "He really believes he has a shot."

Lee Brown Doesn't Get It, Either

After two years of bungling the war on drugs, Clinton drug czar **Lee Brown** may finally be on the way out—with his whole office, too. In mid-July Brown met with Republican Sen. **Richard Shelby**, who chairs the appropriations subcommittee that oversees the drug office. Expecting to deliver a routine update on his efforts, Brown instead found himself on the receiving end of a Shelby threat—you've done a terrible job, we're very unhappy, and we just may zero you out.

A few weeks later, Shelby did just that. It's not clear whether the full Senate and House will agree, but discontent with the Brown/Clinton drug policy is widespread and bipartisan. Despite it all, Brown has slogged along, even getting a little publicity recently by scolding the New York Yankees for signing drug-troubled outfielder Darryl Strawberry—and attacking, of all people, soft-drink makers for packaging that resembles alcoholic bottling. He's hoping Congress will reconsider. "If he worked as hard at his job as he has with all the calls he's made up here in the past week," said one Senate staffer, "it wouldn't have been an issue to start with."

Never Mind

Remember the first half of 1993, when **Hillary Clinton** was trashing pharmaceutical companies for their role in the "price gouging, cost shifting and unconscionable profiteering" of the health-care industry? Relying on government statistics, Mrs. C. attacked the big drug makers for price increases that she claimed far outpaced the rate of inflation. Much of the media nodded in agreement.

Oops. A recent report by the General Accounting Office reveals that the agency responsible for calculating the Producer Price Index for Prescription Drugs has been doing it wrong for years. According to the GAO, "recent research indicates that the [index] has overstated drug price increases substantially since at least 1984." The report claims that the Bureau of Labor Statistics, which produces the drug price index, messed up in three ways:

(1) It used a so-called "market basket" sample of drugs which contained a disproportionate share of high-priced medicines. (2) It didn't take into account the widespread use of generic drugs. (3) It didn't distinguish between price increases that resulted from improvements in drugs and those that represented only inflation.

The GAO says the first mistake alone caused the government to overstate prescription drug inflation by as much as 36 percent for the period 1984-1991. The report does not estimate how much the second and third factors may have skewed the numbers.

The Bureau of Labor Statistics did not begin to correct its method of calculating the index until early 1994, well after Mrs. Clinton had begun her campaign against the drug makers. Her failed health care re-