



# Tilting at Windmills

BY CHARLES PETERS

*Junketing Judges • Killers on the Loose • Bill Gates, Bully •  
The Man Who Brought Us Paula • The Rise of the Personal Stylist*

FOR SEVERAL YEARS I'VE BEEN complaining about the renewed glamorization of smoking by Hollywood. Having been one of the poor fools who started smoking to imitate the movie heroes of the forties, I had welcomed the near absence of smoking in films of the '60s, '70s, and '80s, at least in the case of characters who were supposed to be admirable, so I have worried that the return of the glamorization in this decade might lead to another generation of fools like me.

Now comes evidence that I was right to worry. A recent chart in *The Wall Street Journal* showed that while the leading character smoked only once in five top movies of 1990, he smoked in 26 scenes in five comparable films in 1996. In this year's big hit, "Titanic," Leonardo DiCaprio and Kate Winslet smoke. The movie producer argued that his purpose was not to encourage tobacco use but to illuminate character, that DiCaprio's smoking showed he was a free spirit while Winslet's was an act of rebellion against a stuffy parent. Of course it was in the hope of displaying just such qualities that my friends and I started smoking in the '40s. The appeal is equally insidious today. Tobacco use among teenagers has risen a third since 1991, according to a study reported last month in *The New York Times*.

Young blacks are smarter about tobacco, smoking at a little more than half the rate of whites. But Hollywood is getting to them, too. Eighty percent more are lighting up today than in 1991.

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SOME EMBARRASSING NEWS about the federal judges who are complaining about being overworked and asking for additional judges to be assigned to the courts: it seems that, according to the General Accounting Office, in a 32-month period ending Oct. 1 these judges found the time to take 4,670 non case-related trips lasting 11,767 work days to destinations that included Luxembourg, Italy, England, Russia, Egypt, India, and St. Kitts and Nevis. "One of the jet-setting jurists," reports George Clifford III of *Congressional Quarterly*, "flew to Australia for a conference sponsored by the Australian Swim Coaches Association."

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ONE WAY BLACKS ARE NOT BEING smarter is that they are not using seat belts. According to a report in the *American Journal of Public Health*, only 44 percent of young black males are buckling up, compared to 54 percent of white males. Females as a group are much better than males, but black females are the worst. This strikes me as particularly unwise, since it is well known that some cops tend to look for an excuse to stop black drivers. Of course, the police shouldn't be that way, but why give them a legitimate reason?

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THE STYLES SECTION OF *The New York Times* continues to give its affluent readers the informa-

tion they need to stay chic. You will recall the pioneering article on how to hire and fire a personal trainer. Now comes the inside skinny on personal stylists. These, the *Times* explains, are "part wardrobe specialists, part image therapists ... the people who hunt through department stores, boutiques, ateliers, and showrooms in the quest for that ... perfect dress ... who book the makeup artist, kidnap the overextended eyebrow-shaper and arrange for the hairdresser, the trainer, and the personal chef?" Their fees, in case you're interested, range from \$1,500 to \$5,000 a day.

Think you can't afford it? Well, another *Times* article may have the solution. It says that instead of paying the \$5,000 for the bottle of 1982 Chateau Pétrus to go with your dinner at the St. Regis' Lespinasse, you can "amble a few doors west on 55th street to Michael's, a popular spot where the very same wine goes for a mere \$1,000."

Styles also offers tips on how to cut down that \$30,000 to \$40,000 you have to shell out annually to keep your daughter in one of the glamorous jobs in the fashion industry where she may be underpaid but might also meet and marry a Kennedy, a Koch, a Roehm, or a Trump. Here's the secret, according to Styles, of the young women who manage to live a champagne lifestyle without a parental subsidy: They live with

roommates and “buy from designers like Hermes at steep discounts during private sales, to which they’re invited by friends who work for the houses.”

“Women’s magazine editors,” the *Times* adds, “acquire nearly their entire wardrobe — shoes, suits, bags, jewelry — at wholesale directly from designers’ showrooms.” Aren’t those the designers featured in the articles published by the same editors? In Washington, similar facts would inspire a congressional investigation and the appointment of a special prosecutor.

CONGRESSIONAL REPUBLICANS continue to add to their long record of dedicated service to the big lobbies. It was Republican members who killed campaign finance reform in the House and Senate. And it was Republicans who killed the recent effort to toughen drunk-driving laws. “One of the reasons why 17,000 Americans were killed on our roads last year is because the liquor industry writes our nation’s drunk driving laws,” Democratic Rep. Nita Lowey told *The New York Times*, adding “I’m absolutely disgusted.” So am I.

WHEN IT WAS ANNOUNCED ON the afternoon of Friday, April 10, I thought that the Northern Ireland peace agreement would surely be treated as one of the most hopeful events of 1998 and that it would dominate talk shows over the weekend and be the cover story on the newsmagazines that would appear on Monday. But it was not featured on any of the magazine covers and was only mentioned on one, getting one line on *Time*’s. Inside, *Time* gave the story three pages, *U.S. News and World Report* two and *Newsweek* only one. *Newsweek* devoted its cover to the final episode of “Seinfeld.” I watched only two of the talk shows, but neither “Washington

Week in Review” nor “Inside Washington” seemed to find the agreement worth much attention. Ironically, the best coverage I caught was Jim Lehrer’s “News hour”, which aired on PBS one hour before “Washington Week” and included a moving interview by Elizabeth Farnsworth of my new hero, George Mitchell.

JOHN MCCAIN IS A SENATOR I usually admire, but recently he did something I didn’t like at all. Having abandoned the free-time provision from his campaign reform bill, he then got in a turf battle with the FCC when it started developing its own rules requiring free time for candidates. McCain tried to get an amendment attached to an appropriations bill that would forbid FCC action on free time, and his allies on the House Appropriations Committee threatened to cut the FCC’s budget if it dared to act on free time. The result is an apparent retreat by FCC Chairman William Kennard.

As veteran readers of this column know, I regard free time as the most important of all campaign reforms. It could eliminate the need for most of the money that now must be raised for political campaigns, and it would at last require broadcasters to give to the public something substantial in return for the licenses to mint money that we now give them free.

So it’s maddening for McCain, who understood the need for free time enough to require it in his original bill, to now stand in the way because of a turf battle with a regulatory commission. Who cares whether the FCC or Congress does it, as long as the right thing gets done?

One group that does care is the media lobby. It doesn’t want either the FCC or the Congress to do anything about free time. Read about it and its dismaying power — power that is particularly depressing because it is wield-

ed against the public interest by the very same media barons who profess to be guardians of that interest — in Arthur Rowse’s article beginning on page 8 of this issue.

YOU’VE HEARD ABOUT THE Gang Who Couldn’t Shoot Straight but perhaps you weren’t sure who they were. I have the answer. It’s the 3,600 members of the District of Columbia Police Department. How can I say such a thing about our men in blue? At least half and perhaps as many as 60 percent of the District’s police officers are not certified to use their weapons, according to the findings of an investigator hired by the city council that were recently reported by *The Washington Post*’s Cheryl W. Thompson.

“ONGOING DRUG USE. RAMPANT theft. Open gay and lesbian sex. Widespread access to personnel records without any security clearance. That’s what veteran FBI agent Gary Aldrich found when he returned to the White House in January 1992,” says a promotional brochure from the conservative weekly, *Human Events*. In January 1992 and for the following year, the White House was being run by George Bush.

A FEW YEARS BACK WE TOOK A look at the Washington YMCA and found it was devoting itself largely to serving as a club for affluent yuppies and doing next to nothing for the needy youth most of us thought it was designed to help. Now I learn from the *Charleston Gazette* that the YWCA in my hometown is now being run as a Nautilus facility. YW membership fees go to Nautilus. Members who want their dues to support traditional Y social programs are told that they should give an additional donation above their dues for those programs.

KATHLEEN WILLEY AND MONICA Lewinsky would be living lives of quiet anonymity had it not been for David Brock's 1993 article in *The American Spectator*. Although Bill Clinton must be pleased by Brock's apology for the article, the president must be maddened by the realization that if Brock had just left one word out of the article, he would not have been sued by Paula Jones, Lewinsky and Willey would not have been deposed, and Ken Starr would not have had Monicagate to investigate. That one word was "Paula." If she had not been identified in the article, she would not have sued.

And if Brock had not written the *Spectator* article at all, it's entirely possible that there would have been no Whitewater Independent Prosecutor. Here's my guess as to why: You will recall that the Whitewater story began to heat up just days after Brock's appeared. His article did not delight Hillary Clinton. The president was in the dog house. It seems possible that to placate his wife on Troopergate the president agreed to go along with her desire to stonewall on Whitewater, a decision he took even though practically the entire White House staff was urging quick, full disclosure of all Whitewater sins, which were after all minor and ancient. So, the White House took the nondisclosure route, and demands for some kind of special prosecutor grew and grew, finally to the point that Janet Reno had to appoint Robert Fiske, who was later replaced by Ken Starr.

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HOW CAN YOU AVOID THOSE pesky fees banks seem to charge for almost every action you take with your account? Simple, the consumer advisers say. All you have

to do is switch to one of the smaller banks that are usually a lot more merciful than their big brothers when it comes to tacking those extra charges on your monthly statement. There's just one catch. First, you must find a small bank before it is swallowed up by one of the giants as part of the merger mania that is dominating the financial news these days.

## Who cares whether the FCC or Congress does it, as long as the right thing gets done?

Bank regulators have been far too lax in letting mergers go unchallenged. Small banks not only tend to charge fewer fees, they're usually friendlier as well, much more likely to extend credit on the basis of your character instead of just looking at the balance sheet. The justification for the mergers is that big banks make bigger profits. But

all that does is reveal one of the major faults of capitalism, namely that bigger profits are more important than better service.

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WAS THE LAW FIRM OF BAKER and Hostetler overcharging its client Sporicidin Co.? The company decided to find out. It hired an auditor to check the firm's bills. Here's what he found, according to *The Washington Post's* David Segal: "\$24,053 [had been charged] for injunction papers that were never filed, \$5,891 for seven people to research one statute and \$177,251" for what Segal describes as "the army of staffers to update one another on progress in the case."

Harry J. Maue, chairman of a legal auditing firm, told Segal that in the course of investigating the billing practices of law firms, he had found a score of attorneys billing more than 24 hours of their time in a single day. One lawyer even managed to bill 62 hours in one day. A partner in a Chicago firm billed clients for 5,471 hours in a single year. That's 15 hours a day,

every day of the year, including weekends and holidays.

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IF YOU WANT TO UNDERSTAND Republican opposition to campaign finance reform, all you have to know is that, according to a Federal Election Commission report cited in *The Washington Post*, "Republicans raised \$416 million in soft money last year, compared with \$221 million for the Democrats."

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HAVE YOU EVER WONDERED how many criminals just walk away? I began to ponder this matter because of three different stories that appeared in recent weeks in *The Washington Post*. One story told of how a jury had found Franklin Eugene Hall guilty of killing another man while driving drunk and had recommended that he be imprisoned for 10 years. Hall was permitted to remain free on \$10,000 bail until his sentencing date. When court convened on that date, Hall was not present. Giving up \$10,000 in return for avoiding 10 years in the slammer would seem like a pretty good deal to most people and in fact Hall was probably only losing about \$500, which is all the cash the bailee usually has to hand over to a bondsman for a bond of this size.

In the second story, another driver charged with manslaughter was not required to post any bail. Unsurprisingly, he did not show up for trial. When charged with vehicular homicide in Ohio three years ago, he had also failed to show up.

In still another *Post* article, this one about St. Elizabeth's Hospital, the District of Columbia psychiatric facility, the headline tells the story: "A Disappearance a Day." The disappearances have included, according to the *Post*, "killers, robbers, and sex offenders" — in other words the criminally insane as well as the nice gentle Elwood Dowds are getting out when they feel like it, in the *Post's* words, "by failing to return after being grant-

ed a 'city pass,' by sneaking off the unsecured grounds, or by escaping from locked wards."

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DURING THE RECENT GULF CRISIS, the commander of the U.S. fleet ordered all ships to assemble for a photo opportunity. While the fleet was having its picture taken, five Iraqi ships seized the opportunity to slip across the narrow strait of Ormuz to Oman and thus avoided the blockade our Navy was supposed to be enforcing.

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NOT BEING A COMPUTER expert, to put it as kindly to myself as possible, I hesitate to pass judgment on the allegations against Bill Gates and Microsoft — with one exception. Even I can understand how Microsoft has tried to screw the Palm Computing Company. Palm had developed a small minicomputer that proved to be a tremendous success. So Microsoft put out its own version and called it PalmPC. How would I have felt if Bill Gates called *Slate The Washington Monthly* when he started it? Just like the poor Palm people feel today.

There is a lesson for Bill Gates here. *Slate* is better known today than *The Washington Monthly*. You don't have to be a brutal bully and steal a small company's name. Call your minicomputer Slot or Slut or anything but Palm. If it's good, it will do well and your soul will be in much better shape.

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IS PRESIDENTIAL TRAVEL becoming a tad too imperial? Clinton's recent trip to Africa required three planes to transport the party of 800 that accompanied the president. According to R.W. Apple of *The New York Times*, 250 were reporters and network technicians, including 58 for Fox News. We can't help wondering how many members of the party came from the White House Communications Agency described in our December issue. Its 800 employees are among the great experts of the

Western World on expanding marginal tasks to require the maximum commitment of personnel.

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A WASHINGTON JUDGE RECENTLY gave a life sentence to a young man who had been found guilty of carjacking. Sounds excessive but I can understand what riled the judge. He had planned to give a shorter sentence but when the defendant was asked why he had plunged a knife into the back of the woman whose car he took, the young man explained that he felt she was to blame for not handing over the keys to the car.

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ONE REASON BANKING REGULATION is too lax is that we have too many regulators competing to please the regulatees. A new book, *You Won — Now What*, by Taegan D. Goddard and Christopher Riback describes former Senator Don Riegle's attempt to consolidate the four existing regulators into one agency. The effort failed because each of them, and its constituent regulatees, fought to defend its turf. Why do you think each group of banks was loyal to its regulator? There were a number of factors, but you can be sure that it was not that the regulator was too tough.

Goddard and Riback have an interesting theory about why Clinton backed away from supporting consolidation: The Federal Reserve is one of the regulators and its boss, Alan Greenspan, opposes consolidation. Clinton's economic plan needed Greenspan's cooperation if it was to have a chance, so Clinton wasn't about to risk offending the Fed chairman.

Incidentally, its need to keep its banking constituents happy is a potential chink in the Fed's moral armor that financial reporters should be more aware of than they seem to be.

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THE TEMPTATION TO COOK THE books seems especially irresistible in the Postal Service. You will recall

the West Virginia post office that did well on a test of mail delivery by discovering which pieces had been sent by Price Waterhouse, the firm conducting the test, and taking special care to make sure they got delivered promptly.

Now comes a memo that shows that boys at the Postal Service's headquarters in Washington aren't above a little hanky-panky themselves. They're trying to persuade the independent Postal Rate Commission to allow a one-cent increase in the price of a stamp. But they also want to brag about their success in cost reduction — a success that does not exactly constitute compelling evidence that they need the increased revenue a rate increase would produce. So the memo pleads with postal employees to come up with "updated information on cost increases to offset the decreases."

Unfortunately, the memo got mixed in with a bunch of material that was sent to the Rate Commission which disclosed it at a public hearing reported by *The Washington Post's* Bill McAllister.

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TWO RECENT HEADLINES that should make you get down on your knees and pray for the future of the republic: "Run for Congress? Parties Find Rising Stars Are Just Saying No" from *The New York Times* of March 15, and "Prominent Would-Be Challengers Are Declining Senate Races" from *The Washington Post* of April 5. ●

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# A Lobby the Media Won't Touch

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*How the media lobby wields its power in Washington — and how it gets away with it*

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BY ARTHUR E. ROWSE

**F**OR MORE THAN A YEAR NOW, IN THE best tradition of a free press, “NBC News” has been aiming its proud beak at examples of what it calls the “Fleecing of America” — public offenses often committed by the big, bad federal government. One of the show’s segments last July singled out the owner of a telecommunications company in Cedar Rapids, Iowa, who had won four licenses at a poorly advertised auction for the rights to public airwaves serving 16 million people with cell phones, beepers, walkie talkies, and other electronic devices. The winning price: \$1 per license. Anchor Tom Brokaw reported that the company’s chief, Clark McLeod — who said he would have paid up to \$200,000 for the licenses — “stands to make a fortune with your help, and you didn’t even know about it. Your government gave him the deal of a lifetime. You decide: Is this the Fleecing of America?”

But while you’re deciding, ask yourself another question: Where exactly was NBC’s “fleecing” crew when the network and its fellow broadcasters won the right to use the new digital TV channels without paying a dime? Each channel contains enough bandwidth to offer six separate ones that can be used, not only for high definition TV (HDTV) broadcasts, but also for subscription services ranging from wireless cable to data transmission. Based on auction revenues for other public airways in recent years, the FCC had estimated that a public sale of the digital spectrum

could bring up to \$70 billion to the U.S. Treasury. Instead, the major broadcasters got the rights to a significant — and highly lucrative — chunk of the airwaves spectrum, for absolutely nothing.

Is it possible that Brokaw & Co. did not recognize the parallels between the episode in Cedar Rapids and what happened in Washington? If so, this lack of imagination was apparently shared by the other network giants: A data search for “digital TV auction” drew no hits on any of the broadcast networks during a time when CNN ran 31 stories in 16 months. Or did the decision of the big four news divisions to ignore the debate on digital auctions have more to do with keeping the public eye off the political machinations of their network employers and of their employers’ employers — corporate parents such as General Electric, News Corp., Westinghouse, and Disney? As Tom Brokaw would say, “You decide.”

## **Anatomy of a Windfall**

The auction controversy began heating up in late 1995, when then-Senate Majority Leader Bob Dole (R-Kan.) announced that he wanted to add auction requirements to the telecommunications reform bill he and House leaders had nearly completed after a four-year struggle. The law’s main aim was to transform the long-regulated telecommunications industry into a more competitive market, which would bring lower consumer prices. The key to Dole’s sudden departure from the long-awaited deal became apparent in a private meeting (one of many) on November 30, 1995, between top broadcasters, legislators, and lobbyists, including Fox’s Rupert Mur-

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