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001a. note	Notes re: letter (1 page)	03/07/94	Personal Misfile
001b. letter	To Maggie Williams from Tracy M. Haywood re: personal (2 pages)	09/20/93	Personal Misfile

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FOLDER TITLE:

No Response Needed April-June '94 [5]

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RESTRICTION CODES

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- 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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MEMORANDUM

To: Margaret Williams

From: Marc Brailov MB

Re: *Positive Politics* Strategy

Date: April 11, 1994

Attached is a proposed strategy that I call *Positive Politics*. I have also sent the same to Paul Begala and Bruce Reed.

The strategy is now the property of the President's team. They can use it any way they wish. They can even, should they use it, claim authorship of it.

To me, the success of this great President is the bottom line.

I wish you the very best.

Proposed
Strategy from
Marc Brailov
5850 Cameron
Cen. TX 75112.

Try to find out
a tel. no. or address
for Marc Brailov
Couldn't find either - Not DAC
4/29 (Dgc)

POSITIVE POLITICS

The fact that some recent polls have revealed a loss of support for the GOP in the wake of its seemingly mindless attacks on the President and the First Lady offers a lesson for *both* parties: the American people appear utterly fed up with partisan-induced negativism, and those who don't take heed may be courting political disaster.

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I. Description of *Positive Politics* Strategy

The innovative *Positive Politics* strategy, along with its aggressively positive theme, would be designed to de-legitimize political negativism and legislative obstructionism. It would characterize such negativism and obstructionism as fundamental issues of political morality -- and as such, clear threats to the very fiber of our democracy. The strategy would go beyond mere rhetoric -- and that is critical. Specific, non-legislative proposals would be offered in an attempt to induce change in the very nature of national partisan politics. Among them: a voluntary ban on negative campaign commercials for this fall's Congressional campaign, to be proposed early in the summer; a voluntary Code of Bipartisanship; and a non-governmental Citizens' Legislative Commission to monitor conformance to the code through the issuance of two-year reports.

This strategy/theme would be overarching in nature -- presented within the context of the President's legislative agenda. In campaign terms, the Democratic Party would present itself as the Party that was fighting to minimize the impact of party in politics -- the Party that was *fighting to put country before party* -- by pushing innovative, non-legislative proposals to help speed the enactment of health reform, welfare reform, etc. And the conscious intent of this strategy/theme would be not to attack the GOP, at least not at the outset (as you know, even when you knock them for attacking you first, it still ends up as a big blur to many voters), but to *corner* them. The goal, to be more specific, would be to so raise the "negatives" of political negativism and legislative obstructionism that well before the GOP even launches their likely negative fall campaign, they would be faced with an unpleasant quandary: reject the Democrats' specific proposals to minimize negativism and obstructionism, or accept such proposals knowing full well that the Democrats would likely get the bulk of the credit.

Because the *Positive Politics* proposals would offer *specific proposals* to engender changes in the partisan behavior of elected officials -- something that could be argued was virtually unprecedented -- I believe the President and his party could secure sizable political benefits for themselves. For one thing, just by offering the *Positive Politics* proposals and lobbying for them, the President and his allies could create a climate more friendly toward expeditious action on the President's pending legislative proposals. Secondly, by being seen as making a serious effort to change Washington partisan politics, the President and his party could claim that they were now -- combined with their work for lobbying and campaign finance reform and to overhaul the bureaucracy -- touching every base in their efforts to truly revamp the national government, even bases never fully touched before. Assuming continued good economic news, a small possibility could then exist that the Democratic Party could *gain* Congressional seats in this fall's elections.

II. Positive Politics: The Specific Proposals

Ground Rules For Partisanship

As already indicated, the proposals discussed below are absolutely critical to the success of the *Positive Politics* strategy, even if some lack intricate details. By offering specific proposals, designed to fundamentally change the nature of partisan politics, you would be doing something virtually unprecedented -- going well beyond the usual opining about the evils of unbridled partisanship by presenting *specific ideas for minimizing it*. You would, in simple terms, be offering *action*, not just more tired words. After all, voters now probably *expect* to hear all politicians -- even the most stridently partisan ones -- bemoan excess partisanship, and in particular its byproducts, negativism and obstructionism. And when you hear the likes of Phil Gramm register such complaints, you know they've become little more than political platitudes.

What voters probably *don't* expect to hear from politicians, nor have really ever heard from them, are *real ideas* to convert partisanship into something more benign. And that's precisely why these proposals, *if properly presented and forcefully pushed*, have the potential to impress large numbers of voters. Moreover, they are, I believe, what's right for the country.

To the best of my knowledge, no major political figure in recent years has offered a set of proposals designed exclusively to minimize partisanship in both the legislative and political processes. (If anyone has, a major selling effort was certainly not mounted.) The goal of campaign finance reform and lobbying reform has essentially been to reduce the pernicious powers of special interest groups, but not really to control partisanship. Even Ross Perot, for all his verbal jabs at the two parties, never offered specific ideas to limit partisanship, although his concept of electronic town halls may have been conceived with that in mind.

The three proposals below are obviously not brimming with detail. Not being legislative proposals, they need not be full of fine print. And the proposal for a voluntary ban on negative campaign commercials certainly need not be complex. The remaining two proposals are not overly detailed by design -- so as to invite negotiations between the two parties on the fine print. By giving the GOP the opportunity to negotiate the proposals' details, in contrast to a "take it or leave it" offer, the Democrats would be better able to convey to voters the seriousness with which they view the proposals. Should the negotiations fail, which is probably inevitable, an out is proposed.

o Voluntary Ban on Negative TV/Radio Commercials

The Democratic Party would propose a voluntary ban on negative TV ads for all Congressional races this fall. Obviously, determining what precisely is a negative ad could be terribly difficult. Who ever admits to running a negative ad anyway? To

avoid this problem, the Party would propose that all Congressional candidates and both parties agree not to make any *critical* direct or indirect reference in their ads (applying to both words and pictures) to either their respective opponents or the opposing party. A very simple standard would apply: In their ads, the two parties and their respective Congressional candidates could only make reference to themselves or their respective parties; even the use of terms like the "other party" or the "other candidate" would be forbidden. However, references to the opposing candidate or party that were manifestly positive or neutral in tone would be allowed. For example, Candidate X *could* state in an ad: "I've asked Congressman Y to endorse my gun control proposal." But Candidate X could *not* add -- "but Congressman Y has not responded to my gun control proposal." The latter statement could be construed as criticism and thus would violate the negative ad ban.

This simple standard would make it nearly impossible to run a negative ad. Since the two parties would only agree to the proposal voluntarily, legal issues would almost certainly not arise. Probably, however, some renegade candidates -- the marginally sane Robert Dornan comes to mind -- might still want to defy their party's wishes and still air attack ads. The Democratic Party would suggest at the outset that each party choose its own course for handling the deviants.

Should the GOP spurn this proposal, the Democrats would then suggest that the two party chairs and a representative from a leading non-partisan group -- the League of Woman Voters, for example -- participate in a national town meeting (see more below) in order to reach an agreement. A national representative sample of 1,000 citizens would be invited to participate in the meeting, both in-person and via satellite hookup. At the meeting, after both parties had an opportunity to present their respective cases regarding the negative ad ban, the non-partisan group would then ask the citizen participants to vote electronically on whether they approve or disapprove of the proposed negative ad ban. The two parties would then agree to abide by the vote.

Should the GOP reject this proposal too, they would find themselves in a tenuous position: not only would they have rejected a proposed ban on negative political advertising, but they would have spurned an effort to allow the *American people* to decide on such a proposal.

o Voluntary Code of Bipartisanship

The two-part voluntary Code of Bipartisanship would not be intended to penalize partisanship but simply designed to bring a measure of discipline to it through the establishment of a set of ground rules. The hope would be that such rules, non-binding as they might be, might preclude the manifestation of the clear and injurious excesses of uncontrolled partisanship -- negativism and obstructionism. If that is too much to hope for, the Code would likely, at least, raise the political costs

for those who do exhibit such excesses -- hence, it would be hoped, making that behavior less frequent.

Part 1 -- Reducing Obstructionism

By accepting the first part of the voluntary Code, both parties would agree publicly to subordinate their partisan interests to the national interest regarding any matter that clearly affected the nation as a whole. This could apply to virtually all of the prime pieces of President Clinton's agenda -- health reform, welfare reform, crime, technology promotion, etc. To fully conform with this part of the Code, both parties would agree to resolve their differences on any major legislation of national importance *during the Congress in which the legislation was introduced*, unless it was introduced six months or less before the term's end. For legislation to be defined as "major," it would, at a minimum, have to be introduced in both chambers. Both parties at the beginning of each Congress, before specific bills were introduced, would draw up a list of matters perceived as affecting the nation as a whole expected to be addressed through legislation during the term. A non-binding deadline for passage of each bill during the term would then be agreed upon, to insure compliance with the code. The input of a Citizens' Legislative Commission (see ahead) would also be solicited.

Frankly, I'm not entirely sure whether this particular proposal, even if presented as being non-binding, could be *legally* implemented without legislation. But if even legislation were required, the proposal should still be made. It might just offer the right antidote for lingering gridlock. And then there are the potential political benefits. Besides, in contrast to Lamar Alexander's notion of turning Congress into a part-time body, the proposal made here is certainly on the modest side.

Part 2 -- Controlling Negativism

This part of the code would be undeniably vague, but no less important. Accepting that partisan warfare has demoralized large numbers of Americans, members of both political parties would simply agree to try to tone down their criticisms of one another, particularly while being on the electronic media. They would agree to refrain totally from personal attacks, and instead keep the focus on explaining their philosophical and policy differences.

The Democratic Party would offer to negotiate the details of the Code with the GOP, but would insist that its basic intent not be changed. Should the GOP refuse such negotiations or should they transpire and fail, the Democrats would then ask the GOP to agree to bring the dispute before the aforementioned national town meeting, during which the meeting participants would vote on *their* preferences for the code. Both parties would then be expected to honor that decision.

o Citizens' Legislative Commission

The non-governmental Citizens' Legislative Commission would essentially monitor adherence to the Code of Bipartisanship, attending legislative sessions, party functions, and so on. It would also issue reports at the end of every Congress. In addition to assessing how Congress and the Executive Branch had performed in honoring the Code (of course, Congress would likely be the bad boy), the reports would offer recommendations on improving such conformance. The Commission would be composed of five individuals (each serving a two-year term): two would be representatives from the two parties and the remaining three would be independents selected by three different non-partisan groups (it would make political sense to designate United We Stand as one of those groups). Commission members would have a small full-time staff, which would allow members to limit their Commission work to a part-time basis. The two parties would split the expenses of the Commission equally. As with the preceding proposals, the Democratic Party would agree to negotiate the details of this proposal with the GOP; and, similarly, should negotiations fail, it would ask the GOP to put the proposal (and any counter proposals) before a binding vote at the aforementioned national town meeting.

Although the Commission would really only possess symbolic power, it could still have a significant effect. The hope would be that its mere existence would force the practitioners of negativism and obstructionism to think twice before they engage in their behavior, perhaps making such actions less frequent or, at least, less intense.

III. Positive Politics: The Rationale

There are some compelling reasons for adopting the *Positive Politics* strategy. They are outlined below.

o Tailored to the Times; Right for the Country

The best political strategies are, of course, those attuned to the tenor of the times in which they operate. The 1984 Reagan campaign's "Morning Again" theme seemed well-timed to benefit from that year's booming economy and Olympic games. Similarly, President Clinton's "forgotten middle class" theme during 1991-92 caught the feeling of many Americans ravaged by a long recession. This year, in spite of an improving economy, voter cynicism toward Washington remains remarkably intense. A very recent poll found that 54 percent of those surveyed believed that gridlock continues in Washington. Congress's standing with the public has never been lower. I think that one of the chief reasons why voters remain so hostile toward Washington is due to their perception that nothing significant is being done, or has been done, to change the basic nature of Washington partisan politics.

In rebuttal, some could point to lobbying reform, campaign finance reform and reinventing government, which all appear to have strong support among the American people. But are these initiatives designed to fundamentally alter the partisan behavior of Washington politicians? Be cognizant that while several factors account for voter disillusionment with government -- excessive special interest group pressure, historical events, and government waste are prime examples -- the only factor that seems on display every night via the TV news is excess partisanship. That, after all, is how "gridlock" became a household word.

Positive Politics offers a chance to begin to induce major changes in Washington's partisan culture. At the very least, the strategy provides the opportunity to demonstrate to the voters that the President and his party are trying to effect such change. As a political strategy, *Positive Politics* is tailor-made for this time of widespread political disaffection. But it is also right for the country.

o Put GOP on Defensive

Through *Positive Politics*, you will likely put the GOP on the immediate defensive, not through attacks which could be self-damaging, but through the art of surprise. They almost certainly will not expect proposals such as these. But even after they get over their surprise, they would still face a dilemma. If they attack *Positive Politics*, they risk being seen as the very embodiment of the partisan negativism that the strategy will be de-legitimizing. The GOP itself could thus lose legitimacy among some swing voters. If the GOP accepts the *Positive Politics* proposals or even comes half way, they would know that the Democrats could claim the credit for the agreement. The GOP, of course, could offer counter proposals. But here again, they

could find themselves on a tightrope. If the GOP's counter proposals are not serious, they could be the target of public scorn; if they are serious, the GOP would know that the Democrats could still boast that the Democrats had induced the parties to come to terms with the excesses of partisanship.

o Facilitate Advancement of President's Agenda

If you advocate the *Positive Politics* proposals vigorously, you may create an environment more friendly toward speedy enactment of the President's agenda. One thing that I thought deeply about in formulating this strategy was whether the proposals offered here could conceivably upstage the President's legislative agenda. But I am convinced that quite the opposite would more likely happen. First of all, since these proposals are not legislative in nature, they will not compete with any bills pending before Congress. Second, as is shown ahead, whenever possible, the proposals would be presented as devices that could facilitate enactment of the President's legislative agenda. Last, through liberal use of the *Positive Politics* theme of attacking legislative obstructionism, you may effectively raise the political costs to Congressional members (or at least the perceived political costs) for failure to enact health reform, welfare reform, etc. This would be particularly the case if you can convince most of the Democratic Party to sign on to the strategy at the outset (see ahead).

IV. Positive Politics: Prerequisites for Success

Of course, there always seems to be plenty of imponderables that determine whether a political strategy will succeed or not. But we can still identify two major variables that would seem critical to the success of *Positive Politics*.

o Securing the Support of Congressional Democrats

This truly is essential. If you can persuade the great majority of Congressional Democrats to sign on with the strategy prior to its public unveiling, you then would have a real chance to successfully implement it. To obtain the *maximum* benefits from the strategy, the word must be spread far and wide, and over and over again. If you have a few hundred Congressional Democrats making the case in their respective states and districts, in addition to the President's efforts, the word would indeed get out. Moreover, unless you do secure the active support of the Party at the beginning, the President's critics and the press could then feel emboldened to charge that the strategy was only designed as a ploy for the President to divert attention from certain media controversies.

o Doggedness

No matter what you do, elements of the press and the GOP will disparage the *Positive Politics* proposals. They will describe them as naive and unworkable. And they will certainly question your motivations. But you can, I believe, use these attacks to your advantage: by arguing that they're proof positive of the very political negativism that you're trying to mitigate.

V. Projecting Effects of Possible Congressional Campaign Strategies

Below is a listing of potential Democratic and Republican national Congressional campaign strategies delineated by positive or negative approach, with projections of what I believe would be their likely effects. The strategies are listed by order of their perceived benefit to the Democratic Party, with *Positive Politics* on top. Note that the use below of the words "gain" or "winner" to describe how the Democrats might benefit through certain strategies only implies the loss of less seats than the historical average in mid-term Congressional elections. But again, with the innovative *Positive Politics* strategy, Democrats may have a remote chance to *gain* seats.

Democratic Campaign

Republican Campaign

Effect

Innovative-Positive (<i>Positive Politics</i> Strategy)	Either Positive or Negative	This is the optimal scenario. The Dems may be able to gain regardless of what the GOP does. By preemptively delegitimizing any fall GOP negative campaign, the <i>Positive Politics</i> strategy would allow the Democrats to do the virtual opposite of what Dukakis did in 1988. Or, should the GOP be cornered into going positive, the strategy's preemptive strikes could permit the Democrats to claim the credit.
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Positive	Positive	Democrats would also be a net winner with this scenario but not as much as with the preceding, because they wouldn't be able to claim the bulk of the credit since both parties would presumably go positive at about same time. Further, simply running a positive campaign of the <i>conventional</i> variety -- of citing all the bills you've passed -- will work less this year than in the past with voter mistrust now so deeply rooted. But Dems would still gain under this scenario simply because any fall campaign waged on mostly positive terrain likely benefits their party. Like any out-party, the GOP can only gain if they raise doubts about the nation. Harder to do if you can't take gloves off.
Positive	Negative	Dems could still gain here because the GOP risks a backlash with a nationally negative campaign. But a selectively negative campaign (aimed only at the vulnerable Dem seats) could certainly damage some Dems.

Negative	Negative	This is how many voters saw the 1988 campaign (see attached). (Dukakis tried to make a case against the GOP's negativism in the middle of the fall campaign, but it was too little too late, and may have struck some voters as hypocritical in light of the Democratic Convention's "silver foot in his mouth" derision of Bush.) With cynicism toward politicians now even greater, a negative campaign, even one less so than '88, could incite a rebellion against the most visible of politicians -- incumbents. Since there are more Democratic incumbents running, that is clearly something the Dems should not risk.
Negative	Positive	No explanation needed.



Voters Criticize Campaigns, Caliber of Candidates

By George Gallup, Jr. and Alec Gallup

PRINCETON, N.J. — As the presidential contest enters its final week, voters remain highly critical of the style and content of the campaigns and many question the ability of either George Bush or Michael Dukakis to govern the country effectively.

Disaffection with the candidates is expressed in several ways:

- Only one voter in five (21%) believes Bush and Dukakis are better than the Republican and Democratic candidates in previous presidential elections. More than twice as many (46%) think the 1988 standard bearers do not measure up to their predecessors; 15% perceive little difference from earlier candidates and 18% are undecided.
 - Only one-fourth (26%) feel this year's presidential primaries produced the best candidates while two-thirds (66%) think better qualified candidates could have been selected.
 - Neither Bush nor Dukakis has lived up to the promise each showed at his party's nominating convention, in voters' opinions, with this perception particularly strong in Dukakis's case.
- Criticism of the campaigns also takes several forms:
- By a 3-to-1 margin voters consider this year's campaign more negative (64%) rather than less negative (21%) in comparison with past presidential contests.
 - Three-fourths (74%) feel the candidates are "mostly just saying what they need to say in order to get elected," compared to 20% who think they are "mostly giving their honest views on issues."
 - Almost as many give Bush a failing grade (45%) as a passing grade (51%) for the job he has done in telling voters why he would make a good president. Slightly more think Dukakis has failed to do this (53%) than feel he has succeeded (43%).
 - A 52% majority believes Bush has been too personally critical of Dukakis in the campaign to date; 45% fault Dukakis for being overly critical of Bush.

As a mitigating factor, voters lay more blame for the negative tone of this year's campaign on the news media's coverage (40%) and the people managing the campaigns (32%) than on the candidates themselves (17%).

Following are the principal questions and key findings:

In general, do you think George Bush and Michael Dukakis are better candidates or worse candidates than the men who were their party's candidates in other presidential elections you may remember?

As shown in the table, negative impressions of this year's candidates transcend party loyalty and preference for either the Republican or Democratic ticket.

**Bush, Dukakis Compared to
Previous Presidential Candidates**

	Better %	Worse %	Same, no opinion %
NATIONWIDE	21	46	33
Republicans	20	42	38
Democrats	24	44	32
Independents	19	51	30
Trial Heat Preferences:			
Bush-Quayle	19	45	36
Dukakis-Bentsen	25	46	29

Based on what you have learned about (George Bush/Michael Dukakis) during the presidential campaign, do you think he is or is not the kind of man who would make a good president, or do you feel you don't know enough about him to say?

As shown in the table, the proportion thinking Bush would make a good candidate has stayed about the same since a post-GOP convention survey, while those feeling he would not rose from 17% to 28%.

**Would Bush Make
A Good President?**

	Oct. 21-23	Aug. 19-21
Would	49%	45%
Would not	28	17
Don't know enough	20	29
No opinion	3	9
	100%	100%

Perceptions of Dukakis have deteriorated since the Democratic convention, with the percentage who feel he would make a good president falling from 42% to 36% and those thinking he would not rising from 12% to 31%. During the same period, Dukakis's trial heat standing declined from a 54%-37% lead over Bush to a 40%-50% deficit at present.

**Would Dukakis Make
A Good President?**

	Oct. 21-23	July 22-24
Would	36%	42%
Would not	31	12
Don't know enough	29	38
No opinion	4	8
	100%	100%

In your opinion, is this year's presidential campaign more negative or less negative than presidential campaigns in the past?

Comparison with Past Campaigns*

More negative	64%
Less negative	21
Same (Vol.)	10
No opinion	5
	100%

In your opinion, are the candidates in this year's presidential campaign mostly giving their honest views on issues or are they mostly just saying what they need to say in order to get elected?

Candidates' Candor*

Giving honest views	20%
Saying what they need to say	74
No opinion	6
	100%

*Newsweek survey.

In the presidential campaign so far, do you think (George Bush/Michael Dukakis) has been too personally critical of (other candidate), or not?

Candidates' Criticism of Rivals

	Oct. 23-26*	Sept. 9-11
Bush:		
Too critical of Dukakis	52%	44%
Not too critical	43	50
No opinion	5	6
Dukakis:		
Too critical of Bush	45%	37%
Not too critical	50	56
No opinion	5	7

*Gallup/Times Mirror survey.

Except as noted, the latest results are based on telephone interviews with 1,232 registered voters conducted in scientifically selected localities across the nation Oct. 21-23. The Newsweek Poll results are based on telephone interviews with 1,013 registered voters taken Oct. 20-21; the Times Mirror survey was conducted Oct. 23-26 with 2,006 registered voters. For The Gallup Poll results, one can say with 95% confidence that the error attributable to sampling and other random effects could be plus or minus 3 percentage points; for the Newsweek Poll, 4 points; and for the Times Mirror survey, 2 points.

In addition to sampling error, question wording and practical difficulties in conducting surveys can introduce error or bias into the findings of opinion polls. *This report conforms to the standards of disclosure of the National Council on Public Polls.*

VI. *Positive Politics*: Examples of Implementation

"Political negativism and legislative obstructionism have helped badly diminish the image of government in the eyes of our citizens -- thus making a mockery of Lincoln's concept of a government of the people, by the people and for the people. The noble aim of the Positive Politics proposals is to restore conformance to that concept by inducing elected officials of both parties to model their behavior on the way average citizens act every day, where civility, cooperation and pragmatism reign supreme. We want to make Washington a place where elected officials spend far less time taking sides and far more time working side-by-side. The severity and urgency of our nation's problems demand that we do no less."

-- President Clinton

"The body politic is bruised and battered from years of partisan warfare. Positive Politics is our salve for these deep wounds."

-- DNC Chair David Wilhelm

TV Ad: "Mud On Your Face"

Note: The TV ad scripted below would underscore the prime message of the *Positive Politics* strategy -- negativism in U.S. politics has damaged not just the egos of politicians, but the entire body politic as well. Ideally, if you adopt the *Positive Politics* proposals, you may, if feasible, want to run the ad in early summer right after you make the proposals public. Then, after you adjust the script a bit, you could run the ad again in the fall, well after the GOP weighs in. If they say nyet to *Positive Politics*, you could, in the revised ad, complain loudly about their rejection; if they happen to go along, you could use a revised ad to gloat. (Scene 4 is optional and would probably be better used in a fall version of the ad.)

Scene 1: Joe Six-Pack is shown sitting in his living room watching a TV football game. Suddenly, a political commercial for Congressman X is shown coming on the TV. Congressman X softly declares: "Good evening, my fellow citizens. I hope you're having a nice, quiet evening. I want to talk to you about my opponent in the election, Candidate Y. He is [the Congressman's voice is suddenly raised harshly] a *no-good liar!*" As the Congressman utters the word "liar," a splatter of mud is shown magically appearing on Joe's TV screen -- as if it had been thrown by someone in the room. Joe is then shown with some of the mud on his face (Congressman X continues to be heard ranting against Candidate Y but his precise words are muted). As Joe is shown wiping off the mud from his face, a loud police siren is heard. Joe quickly looks toward the window and then back again toward the TV screen. (Congressman X's tirade against Candidate Y can still be seen on the screen.) Joe shouts at the TV in an highly exasperated tone: "But what about crime? What are you going to do about crime?"

Scene 2: A Norman Rockwell-type family (Ma, Pa, Grandma, Junior and Sis) is shown sitting in their living room watching TV cartoons. They all appear to be having a fine time. Suddenly, a political commercial for Candidate Y is shown coming on the TV. Candidate Y softly declares: "Good evening, my fellow citizens. I hope you're having a nice, quiet evening. I want to talk to you about my opponent in the election, Congressman X. He is [Candidate Y's voice is suddenly raised harshly] a *no-good liar for calling me a no-good liar!*" As Candidate Y utters the word "liar," a splatter of mud is shown magically appearing on the family's TV screen -- as if it had been thrown by someone in the room. In very rapid succession, each of the family members is shown wiping mud off of his or her face (Candidate Y continues to be heard ranting against Congressman X but his precise words are muted). Again in very rapid succession, each of the family members is shown shouting at the TV in an exasperated tone. (Candidate Y's raving can still be seen on the screen.) Grandma, as she is shown taking her medication, cries at Candidate Y: "What are you going to do about health care?" Junior and Sis are then shown shouting in unison at the Candidate: "What about our schools?" And Ma and Pa then together exclaim loudly: "And what about jobs?"

Scene 3: DNC Chair David Wilhelm is shown in his office looking at the camera. He speaks: "Hello, I'm David Wilhelm, Chairman of the Democratic Party. Negativism in American politics has been a terribly destructive force -- turning off tens of millions of Americans to the political process while impeding legislation to adequately address the issues *you* care about -- jobs, health care, crime and education. Let me stress that *both* parties share the blame for this negativism. But the blaming must now end. It's time for both parties to fundamentally change America's political culture. The Democratic Party with its recently announced *Positive Politics* proposals is offering such change. As a first step, we have asked the Republican Party to agree to a voluntary ban on negative TV ads during this fall's Congressional campaign. This fall let's set a higher standard for American politics. Let's finally stop the two parties from slashing, bashing and trashing each other on prime-time TV. *Because when they throw mud, you get dirty too!* "

Scene 4: (Optional) Narrator speaks following (his words appear on screen): "*The New Democrats: Fighting For Country Over Party!*"

The New Democrats: Fighting Hard For COUNTRY Over Party...

Because We Believe All Elected Officials Should Care Far More Whether You Have A Good Job At Good Wages Than Whether You Are A Democrat, Republican, Or Independent.

The New Democrats: Fighting Hard For COUNTRY Over Party...

Because We Know That Diseases And Other Threats To Your Health Don't Discriminate By Party Label.

The New Democrats: Fighting Hard For COUNTRY Over Party...

Because We Consider It Nothing Less Than Criminal To Distort The Issue Of Crime And Your Personal Security Through Partisan Bickering.

THE NEW DEMOCRATS: COUNTRY ALWAYS BEFORE PARTY!

TV Ad: "Positive Politics"

Note: As with ad below, you should, of course, stress to voters the positive things that the President and his party have accomplished. But it is equally important to stress that the fight continues, that very big challenges remain. To illustrate, even if the President's health reform, welfare reform and crime legislation were to be enacted by fall, even if the GOP were to fully embrace the *Positive Politics* proposals, it would not be wise to say that gridlock is completely over. Too many voters would still not believe you. Rather, you would say: "We've made great strides in breaking gridlock, but if we are to ensure an end to it, we'll need your support."

Scene 1: With only a black screen showing, narrator speaks: "For too long negativism has driven American politics -- as our country's problems worsened and our citizens remained disillusioned with their government. But today (suddenly the screen is very bright with sweeping shots of an American landscape as soaring background music is heard) under President Clinton's forceful leadership, the New Democratic Party has begun to make positive things happen. (Shots of people going to work are now seen.) We've begun to restore the health of America's economy -- creating over 2 million new jobs! Now that's *positive!*"

Scene 2: Pictures of a hospital's interior are now seen. Narrator continues: "But there's more. We've begun to address the serious issues of health reform (a shot of criminals being arrested is now seen), of violent crime and gun proliferation (a picture of a school now appears), of education reform (picture of government building now appears), and of government waste of your tax dollars. Now all that's *positive!*"

Scene 3: As film of Congress in session is now seen and heard (the background music has stopped), narrator continues: "But President Clinton and his New Democratic Party are not wearing rose-colored glasses. We know that America still has big problems. And here in Washington, the gridlock and political negativism spawned by rampant partisanship are not quite history. That's why we're pushing hard for our *Positive Politics* proposals that would establish a Code of Bipartisanship for our elected officials to follow and a Citizens' Legislative Commission to monitor their progress -- so they can continue to make progress on the issues that matter to *you!* *Positive Politics! More evidence of the New Democratic Party's vigorous fight for country over party!*"

Positive Politics: President Clinton Educates the Press

Press Representative: "Mr. President, given the highly partisan atmosphere in Washington, do you think the GOP will ever accept your *Positive Politics* proposals?"

President Clinton: "I don't know, of course. While I readily admit that the proposals are in the Democratic Party's interest, I also know that the proposals are in the GOP's interest, too. Over the long run, we both could gain, because the proposals could go some distance in helping restore faith in the two-party system, since they could help bring the parties together to tackle the pressing problems America faces. Both parties have been losing support in recent years because Americans are increasingly wondering whether partisanship is nothing but a destructive force, something that impedes progress in this country. But partisanship is not inherently bad. We believe that when disciplined, it can actually make the legislative and political processes operate more efficiently. But when partisanship spins out of control -- when elected officials start putting the interest of their parties above the national interest, or even sometimes they put the interests of the factions of their parties before the national interest -- than we have the problems we've seen too often in the recent past: legislative gridlock and political negativism. Americans then, of course, become turned off to the two-party system. Certainly, support for the two-party system is certainly something that *both* Democrats and Republicans share. And more critically, I think we also agree that a *healthy* two-party system is healthy for the entire country. Recently, however, that system has *not been healthy*. And that gets to the essence of why we need to embrace the *Positive Politics* proposals."

Press Representative: "Mr. President, some Republicans are deriding your proposals as 'election year gimmicks,' or a 'clever ploy to divert attention away from Whitewater.' Your reaction, sir?"

President Clinton: (Laughs heartily.) "Well Lisa, *the negativism and cynicism inherent in their comments couldn't provide me with better evidence of why we need these proposals!* Actually, we anticipated these types of reactions. We knew that some cynical types would reject these proposals immediately. And we knew that they couldn't reject the proposals on their merits -- because they are in fact meritorious, and the American people will find them so -- so we knew they would have to cast doubts on our motivations. Once again, negativism rears its ugly head (laughs)! But they're so wrong about our motivations. And they're ignoring the specifics of the proposals: these proposals, if adopted, would be designed to survive *long after this election year*. As to my own personal motivations, working to control the excesses of partisanship has been *central* to my Administration. I fought for the NAFTA treaty when much of my own party was voting against me -- because I felt that the accord was in the nation's interest. And I believe deeply that country should *always* come before party. And I urge each of you look over the transcripts of my speeches over the last 18 months or so and count the number of times that I

have called on both parties to work together and end partisan bickering. If you start counting, you're going to need a calculator!"

PARTY UNITY

With Democrat in White House, Partisanship Hits New High

Partisanship generally ruled the first session of the 103rd Congress, reaching levels in both the House and the Senate that had not been seen since Congressional Quarterly began measuring party divisions in 1954.

Democrats and Republicans in both chambers voted with the majority of their parties (and against the majority of the other party) more often in 1993 than in any year in the previous four decades.

The Senate prides itself on its traditional, proper comportment in contrast to the more raucously partisan wrangling associated with the House. But about two-thirds of the roll call votes in either chamber split along party lines in 1993, with a slightly higher percentage doing so in the Senate.

In the House, 65.5 percent of roll call votes were party-line votes (up from 64 percent in 1992). A slight rise in partisan votes had been predictable in the more fractious House due to post-election patterns and procedural squabbles.

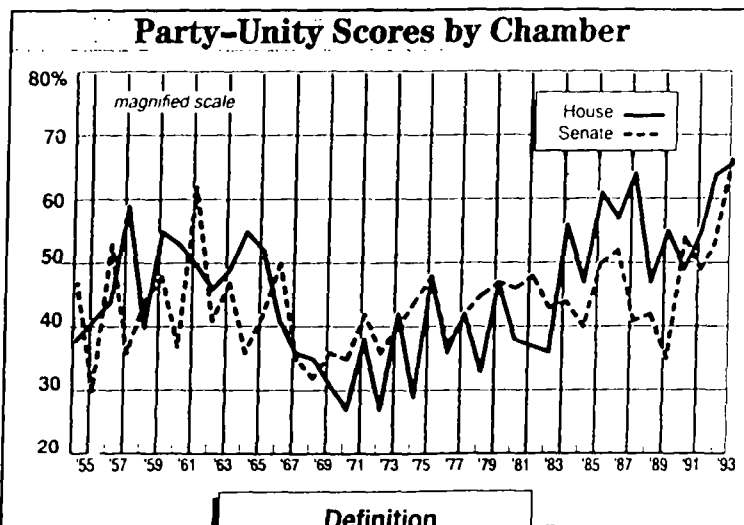
But in the Senate, the partisanship measure jumped dramatically. Sixty-seven percent of roll call votes in the Senate followed party lines, an increase of 14 points from the 53 percent rate in 1992 (a year that featured many votes inspired and colored by the heated presidential election campaign).

The Senate reached this threshold of partisanship even without the frequent and acrimonious procedural votes that occurred in the House.

Individual members also showed unusually high levels of party loyalty in 1993. The average House Democrat voted with the majority of his party colleagues 89 percent of the time (excluding absences) on party-unity votes. Republicans were virtually as coherent: The average GOP member voted with his party majority 87 percent of the time. The pattern held in the Senate, where the average Democrat voted as a party person on 87 percent of the roll calls and the average Republican, on 86 percent.

Confluence of Factors

Several key factors were responsible for the intensity of partisanship and party unity. For the first time in 12 years,



1993 Data

	Partisan Votes	Total Votes	Percent
Senate	265	395	67.1
House	391	597	65.5

Data, votes, pp. 3479-3483

PATT CHISHOLM

Democrats had a president in the White House who could rally and unite them. President Clinton, for his part, took on controversial issues — from family leave and gays in the military to higher taxes and changes in campaign finance and election laws — that tended to divide members along strictly party lines.

In the House, the burden of moving Clinton's program contributed to the Democratic leadership's decision to

block many Republican floor amendments. This in turn spawned many GOP challenges, leading to procedural votes that, almost by definition, divide along party lines.

For Republicans, battling for political survival in the House, it was a policy decision to oppose Democrats at almost every turn, one they announced within a month of Clinton's election.

Accordingly, both parties often strove to cast issues and votes in clearly partisan terms.

"Parties have been jockeying to try to draw issues so that the lines are sharp," said Norman Ornstein, resident scholar at the American Enterprise Institute.

That impulse triumphed over any proclaimed interest in bipartisanship and cooperation. Even the 114 new members elected to the House in 1992 and 1993 promising change in the institution found themselves voting, by and large, as loyal soldiers for their parties.

In one crucial test of Clinton's presidency, the August vote on enacting Clinton's budget priorities into law, Democrats passed the package without a single Republican vote in either the House or Senate. It was the first time a majority party has passed legislation of that kind with absolutely no support from the opposition.

"That tells you something" about the political climate in the first session, Ornstein said.

Hail to the Chief

An overarching fact of life in the 103rd Congress has been the Democrats' determination to prove wrong those who said they could not govern effectively even if they controlled both Congress and the White House.

"We have to demonstrate to the American people that

By Kitty Cunningham

Party-Unity Definitions

Party-unity votes. Recorded votes in the Senate or the House that split the parties, with a majority of voting Democrats opposing a majority of voting Republicans.

Party-unity support. Percentage of party-unity votes on which members voted "yea" or "nay" in agreement with a majority of their party. Failures to vote lowered scores for chambers and parties.

Opposition to party. Percentage of party-unity votes on which members voted "yea" or "nay" in disagreement with a majority of their party. Failures to vote lowered scores for chambers and parties.

Average Scores by Chamber

	1993		1992			1993		1992	
	Dem.	Rep.	Dem.	Rep.		Dem.	Rep.	Dem.	Rep.
Party Unity	85%	84%	79%	79%	Opposition	11%	13%	13%	16%
Senate	85	84	77	79	Senate	13	14	18	17
House	85	84	79	79	House	11	12	12	16

Sectional Support, Opposition

SENATE	Support	Opposition	HOUSE	Support	Opposition
Northern Democrats	88%	10%	Northern Democrats	87%	8%
Southern Democrats	76	21	Southern Democrats	80	16
Northern Republicans	81	16	Northern Republicans	83	14
Southern Republicans	91	6	Southern Republicans	88	9

1993 Victories, Defeats

	Senate	House	Total
Democrats won, Republicans lost	199	329	528
Republicans won, Democrats lost	66	62	128

Unanimous Voting by Parties

The number of times each party voted unanimously on 1993 party-unity votes. Scores for 1992 are in parentheses:

	Senate	House	Total
Democrats voted unanimously	29 (12)	13 (18)	42 (30)
Republicans voted unanimously	57 (10)	65 (47)	122 (57)

Party-Unity Average Scores

Year	Democrats	Republicans	Year	Democrats	Republicans
1993	85%	84%	1976	65%	66%
1992	79	79	1975	69	70
1991	81	78	1974	63	62
1990	81	74	1973	68	68
1989	81	73	1972	57	64
1988	79	73	1971	62	66
1987	81	74	1970	57	59
1986	78	71	1969	62	62
1985	79	75	1968	57	63
1984	74	72	1967	66	71
1983	76	74	1966	61	67
1982	72	71	1965	69	70
1981	69	76	1964	67	69
1980	68	70	1963	71	72
1979	69	72	1962	69	68
1978	64	67	1961	71	72
1977	67	70			



REP. TED STRICKLAND

... finds Ohioans cynical about politics

Polishing Congress's Tarnished Image

Lawmakers Struggle to Counter Public's Distrust of the Institution

By Kevin Merida
Washington Post Staff Writer

MARIETTA, Ohio—Rep. Ted Strickland (D-Ohio) made a surprise visit during the congressional recess to Phil Crane's eighth-grade social studies class, where students are writing, passing and vetoing laws—imitating real elected officials.

Crane has had to combat snickering cynicism about the process—passed on to these teenagers of Marietta Middle School by their parents, he suspects. When

Strickland asked how many aspired to serve in Congress, not a single hand went up. The moment was all the more awkward because on this day the freshman lawmaker was being shadowed by high school senior Sarah Foreman, whose ambition to be a congresswoman was greeted with derisive hoots from fellow classmates. "They were like, 'Oh, so you want to be a crook,'" she said.

Though public disgust with politicians is not new, increasingly lawmakers are concluding that turning around their tarnished im-

age is as important—and difficult—a challenge as any facing Congress. In the 20 years the Gallup Organization has been polling opinions about Congress, the institution's approval rating only once came near 50 percent. In a new Washington Post survey, the approval rating for Congress is 29 percent.

As members return today for the second session of the 103rd Congress, some worry about permanent damage to the integrity of the institution. Others are fearful

See CONGRESS, A4, Col. 1

INSIDE

UNIVERSITY OF MICHIGAN AMERICAN NATIONAL ELECTION STUDY
Gallup Results followed by Michigan Trends

How much of the time do you think you can trust government in Washington to do what is right?
 Just about always, most of the time, or only some of the time?

	<u>Always</u> %	<u>Most of the time</u> %	<u>Only some of the time</u> %	<u>NEVER</u> <u>(VOL.)</u> %	<u>No</u> <u>Opinion</u> %
3/22-24/93:	3	20	75	2	*
6/4-8/92:	2	21	71	4	2
990:	3	25	68	2	2
988:	4	37	56	2	1
986:	3	35	58	2	2
984:	4	40	53	1	2
982:	2	31	62	2	3
980:	2	23	69	4	2
978:	2	27	64	4	3
976:	3	30	62	1	4
974:	2	34	61	1	2
972:	5	48	44	1	2
970:	7	47	44	*	2
1968:	7	54	37	*	2
1966:	17	48	28	3	4
1964:	14	62	22	*	2
1958:	16	57	23	0	4

Please add to folder

THE COMMONWEALTH GROUP

Howard Glicker
Chairman

April 6, 1994

Dear Maggie,

It was nice to meet you even so
briefly at the White House with Alexis.
If ever I can be of assistance to you or the
First Lady, please feel free to call.

Kind Regards



Washington, D.C. Tel. 202-789-4040 Miami, FL Tel. 305-446-0591



Margaret Williams
Chief of Staff
Office of the First Lady
The White House
Washington, D.C. 20500

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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001a. note	Notes re: letter (1 page)	03/07/94	Personal Misfile
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COLLECTION:

Clinton Presidential Records
First Lady's Office
Maggie Williams (Correspondence)
OA/Box Number: 4259

FOLDER TITLE:

No Response Needed April-June '94 [5]

2013-0359-S
ry1354

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

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

RR. Document will be reviewed upon request.

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

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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001b. letter	To Maggie Williams from Tracy M. Haywood re: personal (2 pages)	09/20/93	Personal Misfile
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COLLECTION:

Clinton Presidential Records
First Lady's Office
Maggie Williams (Correspondence)
OA/Box Number: 4259

FOLDER TITLE:

No Response Needed April-June '94 [5]

2013-0359-S

ry1354

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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1053 Marina Hgts. Rd.
Brookings, OR 97415
March 30, 1944

Dear Margaret Williams:

I sent the enclosed letter to the President and got no reply. The idea in it is a good idea that might work. Please feel free to discard it without looking at it if you are so inclined. I am sure you have a full plate as is.

If it succeeds it would be especially helpful to older people who are afraid to leave their homes after dark. It would also help latchkey children and isolated children.

Sooner or later I am going to get this letter read by someone other than formula letter answerers!

Sincerely yours,



Burt Rosenberg

*Diane —
Nice note
Thanks for
ideas —
MAG*

September 21, 1993

Dear letter reader for the President:

No one can lead a nation of couch potatoes. People who have chosen to be observers think they have taken action when they transfer their attention to a new subject.

I have an idea that will turn the couch potatoes,(cp) into movers and shakers. It utilizes the telephone. The cp would talk to others about:

Their every day problems - the weather, the cost of living, dangers of the night, etc.

Parenting, marriage, divorce, work.

Cars, stereos, clothing.

Where they were born, lived, ethenic tribal customs, aging.

Who would call?

Young children, adolescents, yuppies, middle aged, the old.

People with problems and problem solvers.

The entire nation if it catches on.

There would be a phone directory with the interests listed above plus the hundreds I haven't thought of. Random choice until like minds meet.

The Up Side

Compare the emotional state of a cp calling a stranger or a new friend with that of a cp watching TV. The change in self image would be substantial. The sense of community is bound to increase. An observer who interacts is no longer just an onlooker but a participant. A leader asking an observer to act gets a blank stare in return. Participants look for leaders.

The Down Side

The up side is overstated.

Sartre said "Hell is other people"

Criminal con artists will have the suckers at their fingertips.

Missionaries will proselytize.

Whackos will whack.

Gridlock. Solving it will involve everyone.

Mistakes

Every person making a call will know they are the ones making it work. You will get credit for it if you don't take credit for it.

Less educated people may be intimidated and assume "It's for them" if educational and intellectual interests are promoted. Better educated people may be disdainful and assume "It's for them" if small talk is promoted. The less said the better.

Attempting to manage it. Making it available if it is wanted is all that should be done.

I do not want a letter from the White House. I do not want to talk to a recognizable name. I do have some other ideas somewhat along the line of this idea. If this idea is seriously considered (not necessarily implemented) I would like to talk on the phone with broad ranged middle aged person who is not an ambitious power oriented individual. I would pass on the gist of the ideas and leave it go at that.

My phone number is (503) 469 0393. Please do not call if you decide the telephone idea is not of interest.

A handwritten signature in cursive script, appearing to read "Burt".

Burt

David L. Johnson
Director
Government Relations

*Diane
Do I know
this person?*

NYNEX

June 10, 1994

*David Johnson
relocating to
New Zealand*

Ms. Margaret Williams
Chief of Staff
Office of the First Lady
The White House
Washington, DC 20500

Dear Ms. Williams:

In the event summer schedules prevent us from speaking before the end of the month, I wanted to let you know that a temporary family relocation will take me to New Zealand for the next year.

During my absence, we want to continue to keep in touch with you. Rita Hankins of our office will be available to provide any information or assistance you may require. Rita can be contacted on (202) 336-7814.

We look forward to your continued relationship with NYNEX.

Sincerely,

David

David L. Johnson



Requests
autograph
on White
House Card NO

THE WHITE HOUSE

Autograph
Requests
for MAW

fill
" no response
necessary "

0 file

— / 225 Lee Hook Rd.
Lee, N.H. 03824

Dear Mrs Williams,

I'm a 73 yr. old retired school teacher whose hobby is collecting autographs of famous people. I'd greatly appreciate having your signature on a white House card or photograph.

I'm enjoying this administration function.

Thank you very much.

Natolie Allan

P.S. Stamp Enclosed.

—



Natalie Allan
225 Lee Hook Rd.
Lee, N.H. 03824



Pam - Please do autograph

Mr Maggie Williams
Executive Office of the President
The White House
Washington, D.C. 20500

Request 4 Maggie to sign
envelope stamp attached

1 June 1993

Ms Margaret A. Williams
Chief Of Inst July Staff
The White House
1610 Pennsylvania Avenue
Washington, D.C.

Dear Ms Williams

I am a collector of Antiques and I
was wondering if it would be possible to have
you sign the First Day Line for me making
up and also send me a personal Antiques
picture to add to my collection. I'd be
taking the time to read the letter and for any
help that you can send me.

Sincerely yours
Alan Harris

My Address: ALAN HARRIS
HAR USAFCA
Unit 26704 Box 483
APO AE 09235

ALAN HARRIS
HHC USMCA
UNIT 26704 Box 483
APO AE 09235



29
USA

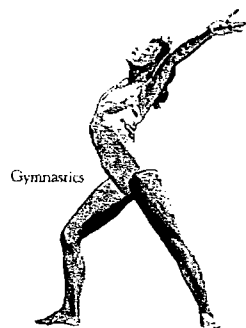
Wood Duck



Mrs. Margaret A. Williams
Chief Of Dist. Joly Staff
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

ALAN HARMIS
HHC USMCA
UNIT 26704 Box 483
APO AE 09235

PHOTOCOPY
PRESERVATION



1992
Summer Olympic
Games

First Day of Issue
Atwater



FIRST DAY OF ISSUE
BALTIMORE MD 21233
JUNE 11, 1992

1992 Olympics



1992 SUMMER OLYMPIC GAMES

While it is taken for granted that humankind has competed in games of athletic prowess since the dawn of civilization, the first documented evidence of the Olympic Games dates to July, 776 BC. The event was held in a stadium at Olympia, Greece. Subsequent games were held at periodic intervals until the Roman Emperor Theodosius I banned them in 393 AD. The modern Olympics were revived in 1896 largely through the efforts of Baron Pierre de Coubertin of France with the patronage of the King of Greece. A stadium was constructed in Athens for the first modern renewal. Except for interruptions during World Wars I and II, these games have been held every four years in locations throughout the world.

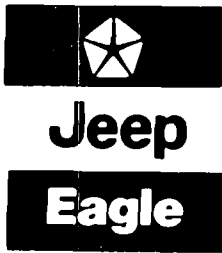
The 1992 renewal of the Summer Olympic Games will be held in Barcelona, Spain. The US Postal Service, as a world-wide sponsor of the 1992 Olympics, salutes the Summer Games with a set of five stamps featuring *Boxing*, *Women's Swimming*, *Women's Gymnastics*, *Soccer* and *Men's Volleyball*. *Boxing* with gloves is depicted on a fresco from the Isle of Thera, Greece that dates to 1520 BC. It became part of the ancient games in 668 BC. The first prize-ring code of rules was formulated in England on August 16, 1743 by champion boxer Jack Broughton. The Queensbury Rules, which currently govern the sport, were adopted in 1867. *Swimming* was valued in many ancient civilizations where it was practiced widely and stressed in the training of warriors. It was part of the competition in the 1896 Olympics and covers a variety of strokes (freestyle, butterfly, breaststroke and backstroke), distances and relays. The ancient Greeks were proponents of *gymnastics* and the sport was included in the Olympics from 776 to 393 BC. It was also part of the modern games beginning in 1896. Gymnastic events included a variety of floor exercises and exercises done with mechanical aids such as the horizontal and parallel bars, the pommel and vaulting, horse and rings. Soccer, known as football throughout most of the world, traces its ancestry to a game called Tsu chu that was played in China 2500 years ago. Modern soccer traces its origins to 13th century England. The first codification of rules was made at Cambridge University in 1848 and it has been part of the Olympic games since 1908, except for 1932, when it was not included in the Los Angeles games. *Volleyball* was invented by William G. Morgan in 1895 at the YMCA gym at Holyoke, Massachusetts. Morgan developed the sport as a less strenuous alternative to another newly invented sport, basketball. It became an Olympic competition in 1964 and is becoming increasingly popular around the world. As an Olympic sport, volleyball is played indoors with two teams of 6 players. However, "beach" volleyball, played outdoors on a sand court, uses teams of 2 players.

This First Day Cover was produced by Artmaster, Inc., P.O. Box 7156, Louisville, KY 40257-0156.

file
"no response
necessary"

Diane file

support for
Michigan Career
Institute grads



Joe Ricci Jeep/Eagle, Inc.

Featuring **MASERATI**, Jeep, Eagle and Other Fine Chrysler Products

18201 Mack Avenue • Detroit, Michigan 48236 • Telephone 885-8000

Ms. Margaret A Williams
Asst. to the President and Chief of Staff to the First Lady
Office of the First Lady
The White House
Washington, D.C. 20501

*Carol Roscoe
Handled*

Dear Ms. Williams,

My name is Jeffrey Oakley, Service Manager of Joe Ricci Jeep/Eagle Automotive Dealership in Detroit, Michigan. As a Detroit dealership I service a broad area of the greater Detroit/Metro area. Our dealership services 3000 customers and their vehicles annually. It is with pride that I tell you that service to our customers is our number one priority.

Hiring well trained, certified automotive service technicians is a major concern of mine. The technicians must have a solid educational foundation in the area related to auto service technology, including advanced technology as it applies to the complicated systems of today's electronically advanced automobiles. Because of my specific needs I find it is to the benefit of my business to hire graduates from Michigan Career Institute, an Automotive Mechanics training school in Detroit.

MCI grads are well prepared to work on today's vehicles. Because I know the education they have already received I am able to begin on-the-job training specific to the vehicles I service. This saves my company from many valuable hours wasted on basics. In addition to the technical skills the MCI grads bring to the workplace, I find MCI technicians come prepared with an understanding of basic employee responsibilities such as punctuality, time management, and safety concerns. The bottom line is that when I hire a graduate of Michigan Career Institute's Automotive Service Technology program I am hiring a technician who can hit the deck running!

Ms. Williams, career colleges and schools such as Michigan Career Institute play an important and necessary role in preparing the employee for the work-a-day world by upgrading technical skills. As an employer I can no longer afford to hire individuals from the street and train them from step one at my expense. I must depend on the technical training provided by schools such as Michigan Career Institute.

Please thank President Clinton for his concern with workforce issues. These concerns are my concerns. I will continue to look for the best trained workers and will continue my relationship with Michigan Career Institute.

Sincerely,

Jeffrey C. Oakley

Jeffrey Oakley
Service Manager, Joe Ricci Jeep/Eagle

Joe Ricci USA's Number 1 Service Dealer

to HRC + WJC via
Maggie

personal story +
wants drug Halcion
off the market
suspend Halcion
licenses

~~NRN~~

THE BEST LEGAL MINDS COULD NOT PUT TOGETHER
MIKE & INGRID SOUCEK MORE SOLID CASE. 77# OF PURE INDICTMENT GOLD
 332 VISTA TRUCHA IF THE FEDERALS CANNOT ACT UPON WHAT WE'VE PROVIDED.
 NEWPORT BEACH, CA 92660 USA THERE IS A VERY SERIOUS PROBLEM IN WASHINGTON, D. C.
 (714) 760-3631 - TELECOPIER: (714) 640-6415 (FAR MORE SERIOUS THAN YOU MAY PRESENTLY THINK).

November 1, 1994

Certified Mail — Return Receipt Requested

President and Mrs. William J. Clinton, Esq.
 The White House
 1600 Pennsylvania Ave., N. W.
 Washington, D. C. 20500

Dear President Bill & First Lady Hillary Rodham Clinton:

From Sir Anthony May's recently published Court #35 Upjohn trials award in the Queen's Bench Division, High Court of Justice: "Upjohn must be criticized for permitting a dose as high as 1 mg. in the light of the findings of Protocol 321 and what is said to be inadequate "other data" which it used to justify its 1 and 0.5 mg. doses. In general, since **HALCION** was launched, the tablet size, the recommended dose and the recommended period of use have all been reduced. There was evidence, e. g. from (Tufts') Dr. David Greenblatt, that reductions of this kind with experience are not uncommon; and Upjohn claims to have made the reductions voluntarily."

"Minutes of an Upjohn meeting of July 30, 1974 (C/54G) stated that a detailed examination of the clinical studies on triazolam (**HALCION**) had shown more dropouts due to side effects on the 0.5 mg. dose as compared with 30 mg. of flurazepam or placebo. The percentages were given as 11% for triazolam and 2.9% for flurazepam. Thus, within Upjohn, these results were appreciated even then."

"It was said that a study also showed that side effects disappeared when the dose was reduced to 0.25 mg. but that efficacy was maintained. There was a consensus among investigators that it would be better to start at lower doses and, then, increase, if necessary. It was suggested that there should be further studies starting at 0.25 mg. with an opportunity to increase the dose, if necessary, to increase efficacy. Upjohn witnesses were cross-examined to the effect that Upjohn should not, in light of this, have marketed **HALCION** in 1 mg. tablets, which they did in Holland until **HALCION** was suspended there, nor elsewhere in 0.5 mg. tablets (including United States), until they ceased to market that tablet in 1988. (Upjohn President) Mr. Ley Smith agreed that it was true that 1 mg. tablets were launched but it was never the starting dose. It was, he said, for special requirements and the Dutch insert spelled out the types of patients for whom it was appropriate."

"It was also suggested that tablets over the 0.25 mg. strength should not have been put on the market without extensive research into safety especially since initial studies were on healthy volunteers but the drug was eventually to be for, among others, elderly people. Mr. Ley Smith agreed that Protocol 6065 was the only study over 14 days for people over 60 and was presented to the FDA. It had taken place between March and July 1975 and was at a 0.25 mg. dose."

A 1974 internal memorandum from senior medical officers and top neuropharmacological scientists to Upjohn executive management unequivocally states that "serious problems caused by **HALCION** cannot be resolved" and concludes with the authors' recommendation "that the drug be abandoned because of unresolvable safety and efficacy problems."

"An Upjohn memo, dated April 21, 1982 (seven months before FDA licensed the drug) (J/75D), discusses the possibility that the recommended treatment period might be limited to 14 days and states that, if this occurred, it would reduce 10 year sales by 50%. An Upjohn memo, dated May 6, 1982 (J/81), records a problem reported by Pat Parker of Upjohn, Ltd. "The problem Pat reports is that Nicholson, a consultant for Upjohn, is now even more worried than ever about the 0.5 mg. dose of triazolam, which, he feels, is an inappropriate dosage for hypnotic use. He said he has been telling this to Upjohn PR&D people for over two years and considers, now, that there is and will be a major attack on this dose by people in Europe and, perhaps, elsewhere. He uses Mamelak's, Adam's and Oswald's studies as evidence of this problem."

"Five years later (just months after Ingrid Soucek almost died), an Upjohn memo, dated September 21, 1987 (O/151C) refers to a report by (Tufts University's) Dr. (Larry) Lasagna (an Upjohn consultant) and says: "I agree that we should discontinue the 0.5 mg. formulation. It is clear from the EMIC that the 0.5 mg. tablet is being prescribed at a high level even among the elderly. This is despite a concerted effort on the company's part to

**Citizen Petition (FDA Docket No. 94P-0336.CP1) --- Halcion, TUC, FDA,
Psychopharmacological Drugs Advisory Committee, etc,**

Action Requested. We, the undersigned, submit this expedited petition under all applicable and relevant statutory sections of the Federal Food, Drug and Cosmetic Act (and/or the Public Health Service Act and/or any other statutory provision) for which authority has been delegated to the Commissioner of the Food & Drug Administration to: (1) immediately suspend all triazolam licenses ever issued to The Upjohn Company; (2) immediately halt all domestic (and international) marketing and sales of triazolam emanating from the United States of America; (3) immediately request the assistance of the Department of Health and Human Services and its Public Health Service, the Department of Justice and its Federal Bureau of Investigation and The White House to initiate a thorough and comprehensive multi-Department criminal, civil and civil rights investigation concerning the seriously-flawed hypnotic Halcion, its manufacturer, certain directly or indirectly concerned past and present private- and public sector officials and Federal government conduct relating to triazolam from 1977 to the present time; and (4) fully disclose all findings--no matter how adverse to the Federal government--at the conclusion of the requested multi-Department investigation led by FBI CID. Ban, charge, indict, prosecute, clean house, etc.

Statement of Grounds. Based upon the information which we have provided you and select others within FDA and elsewhere within the Federal government ongoing, we believe that sufficient grounds and ample evidence now exist to openly dispute the FDA CDER claim that this unusual BZD hypnotic is safe and effective in all human beings. It simply lacks an adequate safety margin for some. Always has --- always will. FDA-TUC has long known that fact. Deposition testimony from both TUC and FDA officials herein involved and others within the Federal government plainly indicate that this drug was flawed from birth and, despite many reformulations and downward strength revisions, continues to pose a serious health hazard and enormous risk to those who might be advised to take it for somatic relief. You have sufficient evidence that the manufacturer knew or suspected this drug to be defective as early as 1973. You have internal FDA evidence that the Supervising Medical Officer and her research team also knew or strongly suspected this drug to be defective as early as 1977. The Officer studied and regularly rejected the drug from 1977 to the end of 1982 when the CDER Neuropharmacological Drugs Division Director intervened and licensed the drug on behalf of the FDA Executive

Page Two
President & First Lady Bill Clinton
November 1, 1994

deemphasize the 0.5 mg. dose." By September 1987 (O/152A), it was Upjohn's policy outside the United States to offer to negotiate the removal of the 0.5 mg. tablet with individual countries when there was tangible evidence that those countries intended to force them to do so. By December 1987 (O/157B), the strategy was expressed as promoting the "lowest effective dose" and deciding the 0.5 mg. issue in a country by country basis. It was felt that to withdraw the 0.5 mg. tablet voluntarily would confirm that a safety/intolerance problem was perceived to exist. The document states that this was not an Upjohn position and that they had substantial data and experience to refute the issue."

This letter contains a few quotes taken from Judge May's 300-page judgment. Apply it to **DHHS General Counsel Claim No. 93M-186** and FDA Citizen Petition (**FDA Docket No. 94P-0336/CP1**). Then, suspend all FDA-issued **HALCION** licenses pending the outcome of our long-requested thorough and comprehensive multi-Department investigation (led by FBI Criminal Investigations Division). Confirm that "Upjohn deliberately and fraudulently concealed from FDA and others data adverse to **HALCION** for 20 years", Bill and Hillary, and understand "that Upjohn knew the extent of **HALCION**'s adverse effects for 20 years and concealed these truths from the World."

Our work in this area has won international acclaim and recognition; but it, quite obviously, has not won your support, recommendation, assistance and direct involvement (despite what you have written to us earlier). You appear from our vantage point to remain aloof, detached and disinterested in addressing and answering the challenges presented by these most serious interrelated problems. A deputy recently suggested that Administration priorities have to be carefully established and, since all the adverse publicity concerning **HALCION** has made its sales plummet dramatically, it is not now considered to be an Administration high priority.

At the risk of appearing repetitious, "our interest in this matter extends far beyond a very bad drug which lacks an adequate margin of safety. On discovery and development, it evolves far beyond the pharmacology of a drug whose considerable risks and hazards negate any possible benefit to be derived from its prescription. Cutting to the core, our interest concerns a corrupt, out-of-control Food and Drug Administration, public officials regularly betraying the public trust, elected officials (or their family members) accepting huge, often illegal payments from pharmaceutical manufacturers to preclude public scrutiny of a defective drug, its suppression, manipulation, distortion, and much, much more. From the evidence we have already provided you, you know that Upjohn reportedly declined to fix its defective cash-cow drug. Its physicians and scientists simply could not provide the right fix. Instead, the manufacturer's marketing representatives reportedly made a conscientious effort to fix **HALCION**'s regulators. Spend \$100s millions to make \$10s billions — public be damned! If the "fat cats" elected and appointed bureaucrats must continue to personally enrich themselves illegally while eating at the public trough, please cause a Federal law to be passed making it illegal for them to do so if, by so doing, the public's health and well-being is (or might be) jeopardized (by their pursuit of the almighty \$\$\$).

Perhaps the British can do for America's health and safety what the FDA declines to do simply stated, tell you the truth! World Health Organization's Dr. M. N. Graham Dukes can be reached at Frodings Allé #10, 2860 Soborg, Denmark, Sir Anthony May's address is Queen's Bench Division, Court #35, High Courts of Justice, Strand, London WC2A 2LL. Attorney Geoffrey Shaw can be reached at The Messrs. Biddle, 1 Gresham St., London EC2 7BX. BBC Attorney Douglas Eady can be reached at its Headquarters, Wood La., London W12 7RJ. Dr. Keith Jones, Executive Director and Drs. Patrick Waller and Susan Wood, Medicines Control Agency, are housed in Market Towers, 1 Nine Elms La., London SW8 3UH. Health Minister Virginia Bottomly's address is Richmond House, 79 Whitehall, London SW1A 2NS. CBS Television Producer Jean Solomon Langley is at Bowater House, Broadcast Sq., 68 Knightsbridge, London SW1X 7LL. We are quite certain that all or any one of these offshore individuals would be highly pleased to be asked by you, Bill and Hillary Clinton, to provide corroborating hard evidence which your own FDA cannot or will not provide. Actually, we can provide you with contact information for America's leading sleep research experts, if you would like. But, then, your FDA personnel know them all too well already. These folks (one might note) are not on Upjohn's payroll.

Please reduce to writing your response and post it before too many more days pass. The Federal government needs to tell the American public the truth. It needs to accept responsibility for what its representatives have done. It needs to take immediate steps to assure the American public that such a heinous pharmaceutical crime can never again happen. It needs to suspend all **HALCION** licenses now. It needs to charge, indict, prosecute and punish to the fullest extent of the law all public- and private-sector individuals responsible for these crimes and criminal acts. It should honor without reservation and grant immediately **DHHS General Counsel Claim No. 93-M-186**, too. Enough is enough!

Cordially,

Mike Soucek

Group urges US to prosecute Upjohn for sleeping pill

WASHINGTON (Reuter) - A nationwide consumer group Thursday again urged the U.S. government to prosecute Upjohn Co. for withholding information about its Halcion sleeping pill and to remove the drug from the market.

In a letter to Food and Drug Administration chief David Kessler, Public Citizen also said it had FDA documents which suggested "a high-level FDA coverup" in the agency's March 1992 decision to end a three-month investigation of Upjohn.

Public Citizen cited a memorandum from an FDA field investigator D.M. Erspamer in which he said he was told to end his investigation and was forbidden to pick up "extremely important" records that Upjohn had just made available.

The memo said the FDA apparently concluded its investigation after "some informal communications" between senior Upjohn officials and Kessler and the former director of the FDA Center for Drugs.

"We demand to know what high-level official at FDA ordered the abrupt termination of the Upjohn investigation just before the FDA was to come into possession of 'extremely important' documents," the group wrote in the letter to Kessler.

"It is time for the FDA to criminally prosecute this firm and to remove this dangerous drug from the market," it said.

The group first asked Kessler to refer Upjohn to the Justice Department for criminal prosecution in April, citing a document which concluded, "the firm has engaged in an ongoing pattern of misconduct with Halcion."

Upjohn spokeswoman Kaye Bennett said the charges of a coverup were ridiculous, the Washington Post reported in its Friday editions. "There isn't, and there never has been anything to cover up about Halcion, either on the part of Upjohn or the FDA," it quoted her as saying.

The paper quoted FDA spokesman Don McLearn as saying the FDA decided to drop its 1992 civil investigation of Upjohn because getting documents under civil authority might endanger any subsequent criminal proceeding.

An FDA advisory committee declared Halcion safe and effective for short-term use in 1992, but Britain and several other countries banned the drug in 1991 because of side effects associated with long-term use.

FDA officials said in April that they would review a report which alleged that Upjohn was motivated by profits to conceal evidence of side effects and seek approval for long-term use of the drug.

At the time, Upjohn said it disagreed with the opinions expressed in the report by investigator Kenneth Ewing. It acknowledged that it made reporting errors in an early clinical trial, but said they were subsequently corrected.

REUTER

Transmitted: 94-10-28 05:13:35 EDT

(1) Is it true that a HALCION "Gag Order" has been imposed today at FDA, PHS and DHHS? If true, who issued the order and how is it enforced? What are the penalties for an order violation? (2) Is it true that the Office of the Secretary and the DHHS Executive Secretariat both have the exact-same copies of our recently-acquired 1974 Upjohn internal memorandum wherein the Company's senior medical officers and top neuropharmacological scientists jointly report to the executive management (Chairman Parfet and Vice Chairman Parish, et. al.) and state, unequivocally, that the serious problems caused by HALCION could not be resolved and concluding with their recommendation that the drug should be abandoned because of unresolvable safety and efficacy problems? (3) Who ordered the FDA's internal HALCION investigation stopped in 1992? Under who's direct authority did this official act? Because of these recently disclosed developments, does the federal government now accept any responsibility for HALCION injuries, maimings and deaths since it is becoming clear that Reagan-Bush personnel were so deeply involved as coconspirators? (4) When will the Clinton Administration tell the American public the truth about HALCION, Upjohn and its FDA collusions, conspiracies, coverups and worse?

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PAGE TWO — NYTIMES (OCTOBER 28, 1994) — FODERARO

medications pose special problems, medically and legally. The nature of the psychiatric disorders that they treat make proving liability difficult, legal experts say.

"Very often, the case depends on the sole believability of the patient and the patient's family and friends," Hawal said. "Frequently, there's no corroborating evidence that the strange behavior began after the medication was prescribed." And the potential side effects of many of these medications may resemble symptoms of some of the illnesses they are supposed to treat.

Doctors and drugmakers point out, for example, that agitation and suicide are not uncommon among people who suffer from mental illness, in general, and depression, in particular. Nor can the side effects of these drugs be seen or precisely measured, so the degree of harm caused by the drugs may be hard to prove.

Dr. Peter Kramer, author of "Listening to Prozac" (Viking Penguin, 1993), says juries should give a lot of latitude to doctors treating seriously disturbed patients. "The alternative is to have doctors walking away from risky situations, which you don't want," he said. Doctors say that in weighing the risks and benefits of prescribing certain drugs, they rely on information supplied by the manufacturers. But some critics contend that profit-conscious companies will not always reveal unabridged study results.

"The dilemma for the drug companies is that, if they give an adequate warning, then, the doctor will not prescribe the drug and the drug won't get sold," said Randy Johnston, a lawyer in Dallas who is representing Freeman. "A real strong warning means the doctor has to go out on a limb with his own liability."

Not surprisingly, the wording of the drug inserts has become a flash point for litigation in recent years. In late 1991, after Britain banned the sale of **HALCION**, Upjohn, which is based in Kalamazoo, MI, agreed to change its packaging and labeling again, shortening the recommended length of treatment from no more than a month to seven to 10 days, and warning of reports tying **HALCION** to "suicidal thinking" and "bizarre behavior."

Upjohn also created an insert for patients that repeated the information sent to doctors but in lay terms. In 1992, after reviewing **HALCION**, the FDA declared the drug safe and effective when used according to the revised directions.

Eli Lilly's packaging message to doctors and pharmacists for Prozac says nothing about a cause-and-effect relationship between the drug and suicide, and no major studies have established such a link. But some

prominent psychiatrists, citing anecdotal evidence, believe that, while suicide impulses are generally suppressed by Prozac, an extremely small percentage of patients may become intensely suicidal while taking it.

The Public Citizen Health Research Group has campaigned to have Lilly include a warning to that effect. The company refuses, however, standing behind the current packaging, which says only that Prozac should not be prescribed to patients taking another type of antidepressant. "This drug simply does not cause the behavior that is alleged," said James Burns, a senior counsel for Eli Lilly. "People who are depressed, unfortunately, do things to themselves and do things to others. That's part of the illness."

In Kentucky, a trial pitting Eli Lilly against 20 plaintiffs goes to the heart of the debate over causation versus coincidence. Lawyers for the plaintiffs are arguing that Joseph Wesbecker, who opened fire on his co-workers at a Louisville printing plant in 1989, slaying and injuring 12 others before killing himself, became agitated and, ultimately, homicidal because he took Prozac. They say that Lilly's clinical trials were flawed and that the package insert should have said that Prozac might cause suicidal and violent behavior.

Eli Lilly's lawyers say Wesbecker had a history of mental illness: long before he started to take Prozac, he tried to kill himself, amassed a pile of weapons and made death threats against his employer. The plaintiffs counter that Prozac pushed him over the edge.

So the search for someone to blame continues. "The stakes are high because people can be very badly injured," said Martin Hatlie, chairman of the executive committee of the Health Care Liability Alliance, a lobbying group. "And defendants generally have deep pockets."

PROVIDED AS A PUBLIC SERVICE BY:

Mike & Ingrid Soucek

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FACSIMILE COVER SHEET

To: **Director Frank W. Hunger, Esq.**
Asst. AG, Civil Division (=FDA Respon.)
U. S. Justice Dept. - 3143 MJB
(202) 514-3301
Telecopier: **(202) 514-8071**

From: **Mike & Ingrid Soucek**
332 Vista Trucha
Newport Beach, CA 92660 USA
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Telecopier: **(714) 640-6415**

Date: **October 30, 1994**

Page(s): **One**

Dear AAG Hunger: On Thursday, October 27th, before 10:30 A. M., you should have received the latest in our (extended) series of **Halcion** hard evidence mailings via Federal Express. Please acknowledge your receipt and review as soon as possible. On Monday morning, you will receive from us your own copy of the David A. Kessler Public Citizen letter calling for the criminal prosecution of key Upjohn officials as released to the electronic and print media at 1200 hours last Thursday. This Public Citizen petition contain essentially the same information that we provided you early last year. When viewed with the materials contained in our two most recent FedX packages to you, it is virtually impossible for anyone directly or indirectly concerned to not act immediately to cause FDA (at this late date) to suspend all **Halcion** product licenses pending the initiation of our long-requested multi-Federal department investigation of this seriously-flawed drug, its manufacturer, FDA, other Federal agencies (including The White House) and government officials, past and present, directly involved in the approval of this drug, its sale and marketing, and its market maintenance in the United States since 1982. We have now provided you with an estimated 77 pounds of documentation. If you are not willing to act, based upon your personal reading of the materials we have provided, we would appreciate your penning of a detailed letter to us explaining why you decline to act in the face of all that is known. We are extremely proud of our contributions to the Worldwide effort to focus your attention to the crimes that enabled this drug to reportedly seriously injury, maim and/or kill (even murder) an estimated 250,000 in this country lone. We have politely suggested to you that **Halcion** will go down in American pharmaceutical history is the most heinous crime ever perpetrated against the citizens of this great Nation. Is it not high time for you to do something? Make a public statement? Cause the requested investigation. Look at our **DHHS General Counsel No. 93-M-186** and **FDA Docket No. 94P-0336/CP1**: We have left precious little for your investigators to do except confirm the truths contained in the 77# of materials we have provided you since you assumed office. Please give us something in writing soon. We need to understand exactly where you stand on this subject and why you have deferred to others up until now knowing that the others could not do the job and full disclosure which conscience dictates must be done. The American public needs to be told the truth about **Halcion**? Continued silence is inconceivable in light of all that is known and all of the hard evidence we have furnished you. As you know or strongly suspect (by now), Civil Division AAG Hunger, this is no longer just about a very bad drug and some money-motivated bad guys in the private-sector. It is, in fact, now, more about a very bad drug regulator, bad guys in the public-sector and crimes, collusions, corruptions, coverups and violations of the public trust in abundance virtually across-the-board. Restore confidence. Act today. Your basketball-playing brother-in-law and his boss (and their staffs) promised us that these matters would receive the Administration's highest priority early-on. We're almost two full years into your ministry, Frank. While Stu Gerson politely declined to act, you do not appear to have the same political pressures from on high unless the MCs involved get "special" Justice treatment. Otherwise please coordinate Civil Division activities with Justice's Criminal and Civil Rights Divisions, Deputy AG Gorelick and AG Reno + FBI Director Freeh and CID Director Potts. We pledge to help you and Justice all that we can! ! Cordially, **Mike & Ingrid Soucek.**

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PUBLIC CITIZEN URGES FDA TO BRING CRIMINAL CHARGES AGAINST UPJOHN

By Lisa W. Foderaro

October 28, 1994

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A patient goes to the doctor complaining of persistent depression or overwhelming anxiety or some other malady of the mind. The solution, typically, comes in a capsule.

But suppose the patient on medication commits suicide or a violent crime. Who, is anyone, is to blame?

With millions of people using antidepressants, sedatives and other psychotherapeutic drugs, that question is by no means hypothetical: Patients, their families, even their victims are asking it a lot these days, and they are asking it in court.

About 100 civil lawsuits are pending against the Upjohn Company, the maker of the sleeping pill **HALCION**, which plaintiffs point to as the cause of severe psychiatric reactions, like paranoia and aggression.

Eli Lilly & Co., which manufactures Prozac, the world's most widely prescribed antidepressant, is now in state court in Louisville, KY, trying to fend off the first of 160 lawsuits, this one linking the drug to a mass killer.

Drug manufacturers' vulnerability to lawsuits was raised again Thursday when Dr. Sidney Wolfe, director of the Public Citizen's Health Research Group, said he had memoranda suggesting that a Federal Food and Drug Administration official had cut short an investigation into whether Upjohn had failed to tell the agency of **HALCION** safety concerns.

The FDA said Thursday that it was already reviewing the handling of that investigation, while Upjohn reaffirmed **HALCION**'s safety.

Drugmakers are not the only targets of litigation. Indeed, there seems to be a minefield of potential liabilities in the lives of these drugs, from creation in the laboratory to ingestion by patients.

"There is a logical connection going from the drug company to the doctor to the pharmacist to the patient, and everyone in this chain has a responsibility," Dr. Wolfe said.

In a lawsuit, those responsibilities can be heavy to bear. Indeed, three years ago, Upjohn deflected some responsibility away from itself and onto

doctors and patients when, after Britain banned **HALCION**, the company strengthened the package warnings and reduced the recommended treatment period.

"The burden on the plaintiff is to prove the drug was the most probable cause of the side effects, which were inadequately warned of," said William Hawal, a partner in a Cleveland law firm that specializes in pharmaceutical product liability cases. "The defense's job is to show that the person's problems weren't even related to the drug."

Plaintiffs carry the heavier load, largely because jurors today are less than sympathetic. "Jurors are coming into courtrooms with a jaundiced eye, believing that people are making up claims for financial gain," Hawal said.

Generally, drug manufacturers must conduct tests to determine a medication's safety and effectiveness and must accurately report the results to the FDA.

If the drug is approved, there must be appropriate warnings and precautions in packaged inserts sent to doctors and pharmacists.

Doctors are supposed to prescribe the appropriate drug at the correct dosage to suitable patients, tell the patients of major known side effects and closely monitor them.

Under a federal law effective last year, pharmacists must offer to counsel patients about their medications and alert doctors, if say, a prescription is renewed several times without the patient's having been reevaluated, as is already required for some medications, like **HALCION**. The law applies to all Medicaid patients and all patients in 40 states, including New York.

Patients, meanwhile, have a duty to take their prescription drugs in the right amounts and to report any side effects to their doctors. State legal systems have managed to find various parties - and, occasionally, all parties - at fault under some combination of circumstances. Still, for plaintiffs, legal experts say, these cases are hard to win.

In a Texas case, for instance, in which William Freeman, a former assistant police chief who was taking **HALCION**, killed a friend, the jury determined in 1992 that 50 percent of the responsibility for the slaying lay with Freeman, 30 percent with his doctor and 20 percent with Upjohn. But an appeals court reversed that verdict in August, and the case is being further appealed.

Consumer advocates, lawyers and doctors say that psychotherapeutic

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October 15, 1994

Certified Mail -- Return Receipt Requested

President and Mrs. William J. Clinton, Esqs.
The White House
1600 Pennsylvania Ave., N. W.
Washington, D. C. 20500

Dear President Bill and First Lady Hillary Rodham Clinton:

It is Claim No. **93-M-186**, presently housed in Associate General Counsel Eileen Bradley's Business and Administrative Law Division, Office of the General Counsel, Department of Health and Human Services, Washington. It is also Docket Number **94-0836/CPI**, a legally correct, properly executed Citizen Petition filed with Dr. David A. Kessler, M. D., J. D., Commissioner, Food and Drug Administration, and registered with its Dockets Management Branch, Rockville. What is it? It is our tireless, continuing demand for justice together with a well-justified, well-documented demand for the immediate suspension of all FDA-issued **Halcion** product licenses and the initiation of the most thorough and comprehensive multi-Department investigation of this seriously-flawed drug, its manufacturer, FDA, certain MCs, et. al. and how the drug came to be approved, marketed and sold, and market-maintained in the United States since December, 1982 despite irrefutable evidence that this drug is potentially dangerous, addictive and quite harmful.

Our interest in this matter extends far beyond a very bad drug which lacks an adequate margin of safety. On discovery and development, it now evolves far beyond the pharmacology of a drug whose considerable risks and hazards negate any possible benefit to be derived from its prescription, Bill and HRC. Cutting to the core, our interest concerns **a corrupt, out-of-control Food and Drug Administration, public officials regularly betraying the public trust, elected officials accepting large, often illegal payments from pharmaceutical manufacturers to preclude public scrutiny of a defective drug, its suppression, manipulation, distortion, and much, much more** all in the respective individual and collective public- and private-sector illegal serious pursuits of the almighty \$ (£, ¥, ±, ?).

Damaging scientific paper publications suppressed. Required government support data manipulated, falsified, or omitted, when adverse to the manufacturer. Internal FDA medical community/public warnings stopped by one government official for five (5) years. A pharmaceutical executive's European professional journal obituary crowing about the "feather in his cap" and crowning achievement when the Commissioner agreed to keep this seriously-flawed, lethal drug on the market "just a little while longer; and the same Commissioner denying any involvement in this sorrowful affair whatsoever. Far too many FDA, NIH, PHS and DHHS officials and others, past and present, some alleged neutrals, abusing their positions of trust and responsibility while accepting money from the manufacturer to determine the outcome of all adverse reaction drug discussions. So-called neutral FDA psychopharmacological advisory panels whose members come from institutions beholden to the pharmaceutical manufacturer whose drug's fate they are to determine. An addictive drug known to be seriously defective long before it was launched in strengths far in excess of "reasonable" for periods far longer than prudent "so that profits would not suffer?"

Please, **President Clinton**, help us to get this seriously-flawed drug off the market and those responsible for it prosecuted to the fullest extent of the law. Please focus attention on the need for a ground-up renovation of FDA, a complete overhaul of its structure, the 100% replacement of the top three tiers of FDA management, and the uniform enforcement of all Federal food, drug and cosmetics laws presently on the books together with full enforcement powers for FDA including subpoena and other regulatory powers that will prevent future **Halcion**, Dow-Corning silicon breasts, Dalkon Shield, Pfizer-Shiley-Bjorklund heart valves, etc. abuses.

From the evidence we have already provided, you know that Upjohn reportedly declined to fix its defective cash-cow drug. Its scientists and doctors simply could not find the right fix. Instead, the manufacturer's marketing representatives reportedly made a conscious unscientific decision to fix its defective drug regulators. We would like you to provide your extremely important formal, written response to **93-M-186** and **94-0836/CPI**, as soon as possible. Reread the 77# of material we alone have sent you on this subject. Do not allow a subordinate to substitute his (her) understanding for your own. Then, act! **Halcion** will surely be remembered as the most heinous pharmaceutical crime against the citizens of the United States and one of the greatest abuses of power by corrupt Federal government officials ever. Please help us to help the Executive Branch restore confidences lost by doing the right thing! There is plenty of blame to share among the politicians; but America will continue to be at serious risk and peril if **Halcion** and other **Halcion**-like drugs are foisted upon an unsuspecting, trusting medical community and the consuming public without regard to safety and efficacy considerations because of major, serious manufacturer ~~\$\$\$~~ considerations. Please, Hillary and Bill, it's time! It seems that everyone in the Federal government wants to duck this issue and claims it is the responsibility of another. If not you, who? Tell us, please. Either **Halcion** is safe and effective or it isn't. Either we trust the FDA and the government or we don't. Either the hard evidence we have provided you is credible or it isn't. Either this seriously-flawed drug is the product of greed and avarice, corruption, collusion, conspiracy and coverup or Our receipt of your prompt written response, the articulation of your position in this matter and your time-oriented action plan to protect the American public from further abuses will be a tremendously welcome addition to our rather extensive research project. You must tell the American public the truth about **Halcion**. And, before more Americans die unnecessarily and avoidably, you must move quickly to fix all that is wrong with FDA and the eliminate pharmaceutical industry's influences and control therein. All elected and appointed Federal officials and other government employees occupying positions of trust and responsibility who betray the public trust while eating at the private-sector trough must be eliminated and prosecuted now! Please cause the Washington-Rockville wagons to be uncircled. Make the FDA and your predecessor's staffers tell us the truth. Enough is enough!

Cordially,

Mike Soucek

Abrupt Cutoff of FDA Halcion Probe Suggests a Coverup

By John Schwartz
Washington Post Staff Writer

Government officials abruptly cut off a 1992 investigation of the Upjohn Corp. and its popular sleeping pill, Halcion, under circumstances that "strongly suggest a high-level FDA coverup," a consumer health group has charged.

The allegations come in a memorandum to the Food and Drug Administration by Sidney M. Wolfe, executive director of the Public Citizen Health Research Group. Wolfe has long opposed the continued sale of Halcion, which has been associated with side effects that include memory loss, depression, anxiety and violent behavior. The drug has been removed from the market in England.

"It is time for the FDA to criminally prosecute this firm and to remove this dangerous

drug from the market," Wolfe and staff lawyer Joanne C. Mott said in a letter to the agency.

Upjohn spokeswoman Kaye Bennett said in an interview, "Wolfe's charges of a coverup are ridiculous. There isn't, and there never has been, anything to cover up about Halcion, either on the part of Upjohn or the FDA."

One of the new documents obtained by Wolfe's group is a March 26, 1993, memorandum from FDA field investigator David M. Erspamer to a supervisor, Kenneth P. Ewing, regarding the 1991-92 inspection of Upjohn. In the memo, Erspamer said that on March 17, 1992, "in a conference phone call with [FDA] headquarters personnel, I was told to discontinue the investigation at the firm."

Erspamer said the investigation was called off at a point when he felt he was making important progress. "This directive was issued in spite of the fact that Upjohn had called to tell

me that the records we had requested were ready for us to pick up, records that were deemed to be extremely important to the investigation," he said. "I specifically requested that we at least be allowed to pick up the records that we had previously requested, before discontinuing the investigation."

According to the Erspamer memo, an official in the FDA Office of Regulatory Affairs "was adamant that we should not go back into Upjohn even to pick up records that we had previously requested."

Erspamer wrote, "I still have strong feelings that Upjohn has manipulated and misrepresented the Halcion data to FDA, and that the firm misled the agency from start to finish."

In late November 1992, the FDA informed Upjohn that its investigation was complete and that the agency had determined no further action was warranted at that time. The FDA offi-

cially closed the inquiry on Dec. 1 of that year, but its final report based on Erspamer's investigation was not produced until last April 4.

FDA spokesman Don McLearn said the agency's office of compliance and the general counsel's office evaluated the investigation and decided that Erspamer could not legally go forward under his authority to conduct civil investigations. To get the documents under civil authority might endanger their subsequent use in a criminal investigation, McLearn said. The FDA did not say why no criminal investigation ensued.

FDA officials previously have said that the study in which the most serious irregularities occurred, known as Protocol 321, was not critical to the drug's approval. Upjohn has admitted that the records were incomplete. Officials have said, however, that the Protocol 321 problems seemed to show slop-

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piness and not an intent to defraud the government, since they did not substantially help the company's case.

Last June FDA Commissioner David A. Kessler wrote a letter to Wolfe explaining that the agency had formed a task force to give the allegations against Upjohn a full review. The investigation, headed by Jane A. Axelrad, associate director for policy in the FDA's Center for Drug Evaluation and Research, will examine, among other issues, "whether consideration should be given to referring certain matters to the Department of Justice for investigation or prosecution," and "the FDA processes which led to the delay" in issuing the report on the Upjohn investigation. Kessler concluded, "I can assure you that a thorough reexamination of the issues raised in the report will be made."

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