

Nyah, Nyah, So There

By Rick Henderson

The Democrats are trying to dismiss critics of Clinton's health-care plan with a few sharp words and a wave of the hand.

AS PRESIDENT CLINTON PREPARED TO make his televised health-care speech before Congress, the Republican National Committee prepared a list of "talking points" for its state party leaders. The five-page document pointed out specific portions of the Clinton plan (as it then existed) and cited criticisms of the proposal from mainstream press reports and from Democrats in Congress.

The morning of Clinton's speech, Democratic consultant Paul Begala mentioned the RNC's talking points on the *Fox Morning News*, Washington's second most popular morning show. Begala, the lesser-known partner of populist bomb thrower James Carville, called the document a "hate sheet, full of lies."

The Democrats' rhetorical campaign to pass ClintonCare hasn't gotten much more sophisticated than that. While you can expect the Democrats to challenge Republican attacks head on, Clintonites are also using Begala's infantile approach to savage the advocacy groups and legislators who offer other health-care reforms.

It's not unusual for political advocates to denigrate their opponents by trying to connect them with "unsavory" characters. Republicans have often tried to tie Democratic candidates to organized labor or Ted Kennedy. And in last fall's statewide races in Virginia, noncandidate Pat Robertson appeared in Democratic-sponsored attack ads as often as the actual Republican contenders.

But the campaign to reform health care transcends normal electioneering. In September, Hillary Rodham Clinton and two



cabinet secretaries spent an unprecedented week on Capitol Hill testifying in defense of a bill (the president's health-care plan) that didn't exist. And details of this proposal changed so frequently that the plan's own backers didn't know what it would contain. On the October 21 *MacNeil/Lehrer NewsHour*, Democratic consultant Mandy Grunwald said Clinton could have chosen to support "an all-government solution" like the single-payer plan. "The president rejected that approach," she said. That same day, reports *The Washington Post*, "at the request of supporters of 'single-payer' health plans," the White House had altered its bill to "make it easier for a state to adopt a government-financed, Canadian-style medical system."

Clinton's plan would fundamentally restructure one-seventh of the American economy and completely alter the relationships between patients, doctors, and health-care regulators. Instead of making a positive case for the president's package, or dealing with the substantive argu-

ments critics make, the Democrats have apparently decided that the easiest way to pass such radical reforms is to portray opponents of the program as liars or lunatics. As Sen. Dan Coats (R-Ind.) said at a committee hearing, the administration has tried to create a false choice between "doing nothing" and "doing everything."

On October 4, the Democratic National Committee launched a rhetorical missile at Citizens for a Sound Economy, the free-market lobbying organization founded by Kansas oil magnates David and Charles Koch. (For the record, David Koch is a trustee of the Reason Foundation, which publishes this magazine. So is Richard J. Dennis, managing trustee of the Democratic National Committee.) The National Health Care Campaign, a DNC-sponsored organization, sent a press kit attacking CSE to 1,500 reporters. In a cover letter intended to "expose the enemies of [health-care] reform," DNC Communications Director Catherine Moore asked "members of the media to responsibly scrutinize advertisements and press events

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presented by groups such as Citizens for a Sound Economy (CSE)."

"I hope you will read the enclosed materials," wrote Moore, "so that you can be prepared when CSE begins its misleading and deceptive media campaign in your market." A careful reading of the 30-page packet reveals...very little. There's a copy of a newspaper ad on health care that CSE ran in Wisconsin, along with a collection of press clippings, Democratic analysis of a CSE television ad on Clinton's budget plan, and a letter to "Democratic Colleagues" from Rep. Vic Fazio of California, head of the Democratic Congressional Campaign Committee.

The DNC kit makes five claims: CSE "misused statistics and data in advertisements and press conferences" when it opposed the Clinton budget; when CSE founder David Koch ran for vice president as a Libertarian in 1980, the party "platform called for the elimination of Medicare, Medicaid, and Social Security"; CSE Chairman James Miller "slashed Medicare spending when he was Ronald Reagan's Budget Director in the mid-1980's"; CSE "hides behind innocuous sounding names to disguise their true intentions and interests"; and CSE has joined a "far right wing...coalition called Citizens Against Rationing Health to oppose President Clinton's health care proposals." The kit is divided into sections that try to reinforce each of these points.

THE ONLY ARGUMENT RELEVANT TO THE current health-care debate is CSE's affiliation with Citizens Against Rationing Health. In the press kit, after you flip past a cover sheet stating that "CSE HAS JOINED FORCES WITH RIGHT WING GROUPS TO OPPOSE HEALTH CARE REFORM," there's a copy of a *Washington Times* news story. It introduces the groups in the coalition, describes their agenda, and says "the coalition has asked for a meeting with the president's chief health spokesman, Hillary Rodham Clinton, to discuss its views." Those views include changing the tax code so that individuals get the same tax breaks as employers when they buy health insurance; giving

poor people refundable tax credits to help them buy insurance; and creating tax-exempt medical savings accounts so that people can more easily pay routine health bills out of pocket.

These proposals may not conform with the top-down, bureaucratic approaches the Clintons prefer, but they would certainly constitute reform. And the coalition isn't some secret organization, shying away from publicity; the members asked to meet with Hillary Clinton and participate in policy making.

Nothing else in the DNC package mentions health care; instead, it attacks CSE for leading last summer's campaign against a BTU tax. Has CSE "misled the public," as one section of the press kit states? That's a matter of opinion. A "CSE lie," in a television ad, claims that the Clinton budget plan is the highest middle-class tax increase in history and that Clinton's new taxes will destroy jobs without cutting the deficit.

The 1982 Social Security tax hike (backed by Republicans and Democrats) was about the same size (in constant dollars) as Clinton's 1993 increase. As for jobs and the deficit, reputable economists disagree about whether the tax increases will lead to lower deficits or even higher government spending. They also differ about the impact of new taxes on job creation. Will higher tax revenues soak up money that might otherwise be invested in capital formation, or will reductions in government borrowing encourage investors to open their checkbooks? We won't know who's right for several years. Asserting an opinion isn't lying.

Before the Democrats accuse CSE of misusing statistics, they should look in the mirror. As budget director, James Miller didn't "slash Medicare spending," as the DNC claims; he authorized \$1.5 billion less than Congress wanted to spend. Actual Medicare benefit payments increased by 29 percent, from \$76 billion in fiscal year 1986 to \$98.3 billion in fiscal 1989.

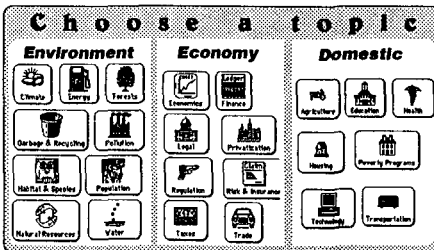
And an alert journalist would notice that Fazio's breathless disclosure of scary planks from the 1980 Libertarian Party platform is immediately followed by a *National Journal* profile of the Kochs,

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which reports that David Koch split with the L.P. after the 1980 election "because, he said, its agenda had become increasingly radical." Perhaps alert journalists weren't the Democrats' target audience. The DNC may hope that sympathetic or bewildered reporters would read the cover letter, glance at the packet, and parrot the Democrats' line.

The details of public-policy issues, especially those as sweeping and tricky as the Clinton health-care plan, can overwhelm reporters and policy analysts, let alone the people who don't do these things for a living. In an October 9 *National Journal* story about health-care reporting, *Los Angeles Times* medical correspondent Edward Chen said health policy "is so complicated that few people understand it, and that includes a lot of people in the media." *Wall Street Journal* reporter Hilary Stout said, "Every editor in the country, including my own, will take anything with a slug called health."

In at least one case, the Democrats got their wish for unskeptical coverage. The DNC packet includes an unsigned editorial from the *Las Vegas Sun* that does little more than rewrite Fazio's attack on CSE.

CSE PRESIDENT PAUL BECKNER SAYS Campaigns against organizations like his happen all the time. In a way, he says, "it shows how effective groups with strong grass-roots support are. Groups like the NRA [National Rifle Association], the Christian Coalition, the NFIB [National Federation of Independent Business], and us"—advocacy groups DNC Chairman David Wilhelm has publicly attacked—"can mobilize people to change policies." The Democratic campaign against CSE, he says, is intended not "to debate issues but to slander their opponents."


The CSE newspaper ad in the Democrats' press kit asks five questions about Clinton's health-care plan: Will it "keep me from choosing my own doctors?"; "force me to pay for insurance benefits I don't want or need?"; "put government bureaucracy in charge of my health care decisions?"; "ration care by fixing prices?"; or "force me to pay more taxes

for less health care?"

Beckner says his organization runs ad campaigns like this one to make complicated issues easier to understand. "A lot of policy makers want to keep things murky and unintelligible [for] average citizens," he says. "This makes it easier for them to pass legislation. That's a terrible way to run the government."

Perhaps the Democrats want to keep the health-care debate a private conversation among experts with acceptable policy views. Consider the October 21 press conference sponsored by two supporters of ClintonCare in the Senate, Harris Wofford (D-Pa.) and Tom Daschle (D-S.D.). Wofford and Daschle referred to health-care bills (none of which would force employers to provide health insurance) sponsored by Sen. John Chafee (R-N.H.), Rep. Jim Cooper (D-Tenn.), and Sen. Phil Gramm (R-Texas) as "a tourniquet, a Band-Aid, and snake oil," respectively. When Cooper heard his alternative called "rock-bottom, Wal-Mart coverage," he told the Associated Press, "Being called Wal-Mart is not necessarily an insult. Some in the administration should hope their plan should be so popular."

This substance-free attack aimed at less-statist alternatives can serve another purpose. While Clinton decides what changes he will accept in his health-care proposals, two points appear non-negotiable: The plan must guarantee coverage for everybody, and it must coerce employers into paying premiums to support the plan. Any reforms that fail to meet those conditions, such as the ones offered by CSE and Citizens Against Rationing Health, may be excluded from the debate.

Gramm introduced his own health-care package on October 13. It prominently features medical savings accounts. Clinton spokesman Kevin Anderson called Gramm's proposal "the latest and silliest" idea on the table. "It doesn't work," Anderson said. "It doesn't do anything. It's not reform." At least it isn't a hate sheet. 

Rick Henderson is Washington editor of REASON.

Kessler's Log, Supplemental

By Carolyn Lochhead

FDA chief David Kessler says he doesn't want to restrict access to dietary supplements, but the FDA's proposed regulations say otherwise.

THE OPENING ACT OF A WASHINGTON power grab always makes for fascinating, if now increasingly common, spectacle. But Food and Drug Administration Commissioner David Kessler's war on vitamins, minerals, and other dietary supplements is a real standout.

Kessler knows how to put on a show in the committee hearing rooms of Capitol Hill, where in the last few months he has been promoting his plan to impose sweeping new regulations on supplements. His assistants are even making the rounds of newspaper editorial rooms to press the FDA's case.

Kessler adamantly denies that the FDA will in any way limit access to or doses of vitamins and other supplements. He accuses critics of scaremongering. Yet the FDA's advance notice of proposed rule making in the June 18 *Federal Register*, the government's regulatory bible, indicates otherwise. Indeed, one gets a sense of cognitive dissonance listening to Kessler and reading the official record, which says that the agency would like to regulate amino acids as drugs, remove a number of herbs from the market, and set safety limits on vitamin and mineral potencies.

Matching Kessler's public statements against the scientific evidence can easily give the impression that it is the FDA chief who is doing the scaremongering. Perhaps the extreme positions outlined in the *Federal Register* notice were mere trial balloons. Nevertheless, Kessler has made it clear that the FDA wants to suppress consumer information about nutrients by forbidding manufacturers from making any



For David Kessler, L-tryptophan is the new thalidomide, despite evidence that a contaminant accounted for its ill effects.

health claims without prior FDA approval. Such a position is dubious at best, given the breath-taking new findings about the critical role nutrients play in preventing the chronic diseases that kill modern Americans—cancer, heart disease, diabetes, osteoporosis—as well as cataracts, infectious diseases, neural-tube birth defects, and other conditions. (See “To Tell the Truth,” April.) The potential human cost of restricting such information is huge.

When his time comes to testify at a subcommittee hearing, Kessler strides to the witness table and a bevy of aides springs into action. They set up large colored charts illustrating supplement dangers and heap on floors and tables big clear plastic bags filled with supplement bottles, presumably dangerous, fraudulent, or both.

His voice rising in indignation, Kessler insists that, contrary to what the \$4-billion dietary supplement industry says, he is not out to deprive anyone of vitamins. (The \$4-billion figure implies an unspoken connection between industry revenue and public danger.) Charges that the FDA is

out to restrict consumer access or limit potencies, he insists, are “absolutely false.” But if someone wants to sell such products, he adds, the FDA has to make sure that there is “no problem with safety,” that “the potencies are reasonable,” and that any health claims are supported by “significant scientific agreement.”

AS IT TURNS OUT, THOSE ARE MAJOR RESTRICTIONS. Kessler believes that the dietary supplement market is “awash in unsubstantiated claims,” that manufacturers are bilking consumers by selling “snake oil” cures for everything from baldness to AIDS. False claims, he says, not only cost unwitting consumers millions but so mislead them that they neglect proper medical treatment.

The solution, Kessler insists, is prior FDA approval of any health claim. But prior approval requires considerably more than the reasonable-sounding plea that health claims be “scientifically valid.” It amounts to subjecting vitamin health claims to something like the extensive clinical trials that the FDA now requires for drug approvals, a cumbersome process that takes over a decade and costs some \$230 million. For a patentable pharmaceutical, FDA's nod might be worth the investment. For inexpensive vitamins and minerals long in the public domain, such a process presents an insuperable barrier.

“There is a downside, and that's cost,” Kessler concedes to one skeptical congressman. But righteous indignation rises again to dispel such worries. “The answer is not to throw up our hands,” he adds. “The choice is whether to hold [supplements] to a scientific standard or not. Somebody's going to have to fund the research to do that.”

So far, the FDA has rejected every nutrient/disease claim except the link between calcium and prevention of osteoporosis, and approval for that claim