

Originally Processed With FOIA(s):

S

FOIA Number:

S

FOIA MARKER

This is not a textual record. This is used as an administrative marker by the George Bush Presidential Library Staff.

Record Group/Collection: George H.W. Bush Presidential Records
Collection/Office of Origin: Speechwriting, White House Office of
Series: Speech File Draft Files
Subseries: Chron File, 1989-1993

OA/ID Number: 13639
Folder ID Number: 13639-004

Folder Title:
Waukesha County Picnic 9/6/92 [OA 5812] [2]

Stack:	Row:	Section:	Shelf:	Position:
G	26	18	4	5

SPEDITS

PUT IN BY ME JB

Provost/Bunton

Presidential Remarks
Waukesha County Picnic
Waukesha Wisconsin
Sunday, Sept. 6, 1992

Thank you Governor Tommy Thompson.

Today is Labor Day -- the day we honor American workers.

A little neg. unless you link it to Clinton in a disparaging way.

And honor it is that they deserve, because despite what you might hear here these -- the men of women of America are the still the most productive workers in the world.

But rather than just talking to you about the American worker, I want to talk to you about a problem that affects you and every other worker -- our crazy, out-of control - legal system.

A serious discussion about legal reform may seem a little odd as a topic for a picnic. But I think you deserve more than talk from your political leaders -- you need answers. Answers to the most pressing question before America today -- how can we guarantee that we will remain not just a military superpower -- but an export superpower, and an economic superpower..//

As I see it, our current legal system is a roadblock that must be cleared from the path of America's economic progress.

Let me start by talk about a famous American enforcer of justice. I don't mean Oliver Wendall Holmes or Earl Warren. I mean someone more famous than that. I mean -- Hulk Hogan.//

chk spelling (Think it's "e")

not popular

Warren Burger?
Rehnquist?
John Marshall?

My grandkids tell me that in his movie last year -- Hulk Hogan was confronted with the predictable crop of bad guys. Only the bad guys refused to fight Hulk. Instead they said, "this is the nineties -- we're not going to fight you. We are going to sue you."

I fear that one statement, ^{sums} ~~somes~~ up a lot of what is troubling America today.

Pick up the newspaper, the stories roll out at you.

Like by now famous the story about the basketball referee, who made a controversial call at the buzzer of a Purdue-Iowa basketball game. Purdue won the game, and an Iowa souvenir company was suddenly left with victory T-shirts that weren't in all that much demand. So what did the company do? They sued the referee. Sound crazy? It took two years, and a lot of money, before the case was dismissed by the State Supreme Court.

Are these crazy legal stories just intended to give us something to make our friends chuckle at backyard barbecues. I don't think so. It's much more serious than that.

Look around here in Wisconsin, right here in Waukesha.

Awk? A question → Anybody here cheer for the football Spartans -- of East Brookfield High School.// I'm told Coach Jack Perry and his team now pay almost \$150 bucks for every football helmet -- they years ago they paid about a third of that. Why the price increase? Because over the past 18 years, 18 American companies have stopped selling football helmets -- because they can't afford the insurance. (Before this is over, we may go back to the days of

Jim Thorpe -- when people played football without helmets. Is that progress?)

The legal crisis has crept into every corner of our lives. Try signing up for mountain climbing at the Waukesha School district physical education class. Sorry, they can't afford the insurance. Try finding a trampoline in a local school. Try taking a kid on a bike or canoe trip -- sorry again.

But you don't just have to go to a school -- stop by your local accountant. People today sue CPA's at the drop of a number. So four out of ten accountants in Wisconsin are going without insurance.

Now, Waukesha and Wisconsin aren't unique -- except in their physical beauty. This kind of thing is happening every day in every town across America. And we are all paying the price.

Now understand, this is not a criticism of lawyers. They are an essential part of our society -- and the majority of legal professionals work with integrity and honor. But the good lawyers will tell you, the system is out of control.

In the past 20 years, the number of lawsuits (filed in federal courts) has doubled. Today, the average case takes a year to be resolved -- and in the past year alone -- the number of cases that were pending for 3 years, increased by 15 percent.

(Think about what that means. You can file a suit, and have time to enroll in law school, study three years, graduate, pass the bar, and then represent yourself in court on the day the decision is reached.)

✓
delete

✓
delete

My background papers had a cost of \$700 million from civil litigation

What does this litigation explosion cost our economy? Well, the National Association of Manufacturers has just finished looking at that question. According to a soon to be released study, American companies spend \$200 billion dollars on direct costs to lawyers. Keep in mind, that doesn't even count the lawyers on their own payrolls, or the money they end up paying in court settlements.

(\$200 billion sounds like a lot of money -- and believe me, it is. American businesses now spend more on insurance, lawyers and legal fees -- than on training our workers for the new economy.) To me that's crazy. As a nation, I believe it's high time, that we started suing each other less, and caring for each other more.//

and a training stat ->

That is why I have sent Congress a comprehensive legislation to reform our Civil Justice System. It is complete with specific proposals. We want to solve more disputes early -- before they get dragged into the courtroom.// We want to speed the legal process, there is no reason anyone can go through law school faster than it takes a court to reach a verdict. We want to put a lid on outrageous punitive damages, that strike terror into every mom and dad who wants to coach their kids football team.// And here's one big idea. I believe we should copy a practice from our friends in Britain -- and make the loser pay the winner's court fees. You think that T-shirt company would have sued that referee -- if they'd known they'd end up footing his legal bills?//

Pause ->

This is one part of the crisis in our civil justice system -
 -what we call civil justice. But we also need change in our
 product liability laws. These are the laws that are supposed to
 allow people to be compensated for harm caused to them by a
 defective product. That's an important right and I am all for
 it. People ought to receive fair compensation when a product is
 defective and they get hurt.

But like ~~so~~ the rest of our civil justice system, product
 liability has careened out of control.

Let me give you an example of what I'm talking about.

(insert new example.)

(Carroll Bus)

Here's the problem. The product liability laws vary from
 state to state and the rules have encouraged crazy lawsuits, and
 outrageous awards. The cost of defending these lawsuits has
 escalated. A lot of trial lawyers bring lawsuits, knowing that
 it is cheaper ~~to~~ ^{for} companies to settle the case ~~that~~ ⁿ to pay their
 own lawyers to defend them through trial. And the cost of
 insurance keeps skyrocketing.

Big deal, right? So companies have to pay extra for a few
 lawyers. But it's not just companies who foot the bill, we all
 pay higher prices -- for everything from medicine to step
 ladders.

It's worse than that. We ^{we} never seen a lot of good products
 -- because companies are afraid of liability.

American Pres. Conference

Chk this one. Be sure our regulators haven't kept it out

6

In Europe, for example, Volvo offers parents a car seat -- built right in the car. You can't buy one in the U.S. today -- and may never be able to. No company wants to deal with our laws.

double ✓
→ And if you're in Europe, and you suffer from AIDS, you can get medical treatment you can't get in the United States.

Medical companies are afraid of the liability.

But it's all worth it right, because when someone does get hurt, they can a big settlement? Again, that's not what's happening. More than half of all the money awarded by juries in product liability cases, goes not to the injured party, but to the lawyers. Think about that. More than half of all the awards -- ends up in the pockets of Brooks Brothers suits.

But here's the real problem. Our product liability system is killing our economic competitiveness.

Liability costs are 15 times greater than that in Japan, and 20 times greater than that in Europe. Our businesses -- especially our small businesses -- are staggering under a weight our competitors don't even carry.

Every dollar we spend around a courtroom, is a dollar we won't spend on training, education, research, investment. It will ^{be} the difference between no jobs for our kids -- and good jobs for our kids.

We have to do something about this -- if we want our kids to have job. Luckily, Senator Bob Kasten understands this. He has been the fighter ^{to} change the system.

Don't assume every one knows about the letter. I'd use the quote. Then tie back to Congress

Bob has put forth a plan -- which I have endorsed -- to speed the legal process -- and settle more cases out of court -- which will help everyone.

We want uniformity in product liability law -- instead of the confusing 51 separate standards we have today. We want to have the same rules for damages from one state to the next. We want to bring some rationality to the system.

The plan is pro-consumer, pro-business, pro-safety, and pro-jobs. The day my pen signs Senator Kasten's bill -- is the day our workers get a leg up on other workers.

So what's the problem? Why do we still face this crisis? Bob Kasten will tell you the problem. The Gridlock Congress.

I know you are sick of the blame-game in Washington, but we can't ignore the facts.

Like my opponent, ^{Mr. Clinton} ~~Governor~~ Clinton -- many members of Congress get their campaign funds from trial lawyer organizations. So in many Congressional offices -- the only thing that gathers more attention than a TV camera -- is a lawyer in tasselled loafers with a check in hand.

That's why product liability reform has been blocked, for almost two decades. In fact, trial lawyers' money has prevented product liability from ever coming to a full vote.

But this week, we have a chance -- to stop undermining our American workers.

Product liability reform will be up before the U.S. Senate. We believe we have the votes -- to pass the Senate.

very

✓
Product Liability Campaign
CT Trial Lawyers

While we have a majority of the Senate,

But there's a catch -- something called "cloture." Now cloture sounds like something a doctor would give you after you cut your knee. But it's not. It's the number of votes it takes --to stop long-winded debate in the U.S. Congress. (As you can imagine, getting Congress to stop talking about anything requires some effort.)

We're not sure we have the votes for cloture. And here's the irony -- Congress may be able to stop the most-needed legal reform in a decade -- by using a legal loophole.

Bob Kasten doesn't want that to happen -- and neither do I. I need a labor day present for the American economy, and for the jobs of the future.

I need you to get on the phone and let Congress know, the American people are tired of paying for crazy lawsuits. Tired of high prices. Tired of unsafe products. Most of all, we're tired of losing jobs to foreign competitors.//

What troubles me so about our litigation crisis, is that it is so at odds with the true nature of America.

By suing each other for every insult and injury -- we naively attempt to rid our world of risk. Of course, we should not be reckless, but risk is part of life, part of America.

Think about it. As a nation we bring together people of every color and every creed -- but all of us have the same background in this respect. At some time, as our ancestors looked at their lives and said -- lets take a risk, take a chance on something else.

Steve: The voters are very anti-risk. Can you close w. a different idea "accept responsibility"
Perhaps I really think we need to avoid the risk
(New random)

60
stop talking
then to
New in big

But what would have happened -- if Columbus had sued the sailmakers of the Santa Maria? What if immigrants in 1903, had tried to win pain and suffering damages -- because the floor on Ellis Island had hurt their backs?

We cannot rid our world of risk, nor do we want to. Today, I appeal to the common sense of the American people -- to take a stand for America's values, and give our workers a chance to compete in the world economy.

Thank you for listening. God bless Wisconsin. God Bless the United States of America.

#

We have got to do something about this.

We have ideas to speed the legal process -- and settle more cases out of court -- which will help everyone.

And we want to have ^{uniformity in} ~~one~~ national product liability law -- instead of the confusing ^{51 separate ones} ~~50 (ones)~~ we have today. We want to put ~~uniform standards for~~ a cap on punitive damages -- which don't even exist outside the U.S. and Great Britain. We won't to make it tougher for people to sue everyone involved with a product for all the damages. We want to bring some rationality to the system.

The plan is pro-consumer, pro-business, pro-safety, and pro-jobs. ~~The experts agree with us.~~

So what's the problem? Why do we still face this crisis? In a term, the Gridlock Congress.

I know you are sick of the blame-game in Washington, but keep this in mind. ~~Many members of Congress were once trial lawyers. (Being a radio D.J. is about the only better training you can find.)~~

Like my opponent, Governor Clinton -- many members of Congress get their campaign funds from trial lawyer organizations. So in many Congressional offices -- the only thing that gathers more attention than a TV camera -- is a lawyer in tasselled loafers. ^{with a check.}

That's why product liability reform has been blocked. Not just for my three and a half years in office, but for almost ~~a~~ ^{two} decades. ^{In fact, trial lawyer money has been able to keep product liability reform from ever coming to a full vote.}

We want to give other people options than trials to resolve their disputes.

But this week, we have a chance -- to make our workers more competitive with the Japanese and the Germans. *stop undermining etc*

Product liability reform will be up before the U.S. Senate. ~~It's passed the House --~~ and we believe we have the votes -- ~~to~~ *to pass, the Senate.* *for it*

But there's a catch -- something called "cloture." Now cloture sounds like something a doctor would give you to keep a wound shut. But it's not. It's the number of ~~votes~~ *senators* it takes -- ~~to stop debate in the U.S. Congress.~~ *permit have a vote in the U.S. Congress* (As you can imagine, getting Congress to stop talking requires a little effort.)

We're not sure we have the votes for cloture. And here's the irony -- Congress may be able to stop the ~~greatest~~ *most-Needed* legal reform in a decade -- by using ~~a~~ *this* legal loophole.

I need your help. I need a labor day present for the American economy, and for the jobs of the future.

I need you to get on the phone and let Congress know, the American people are tired of ~~reading~~ *paying for* about crazy lawsuits. Tired of high prices. Tired of unsafe products. Most of all, we're tired of loosing jobs to the ~~Europeans~~ *foreign competitors* and the Japanese.//

What troubles me so about our litigation crisis, is that it is so at odds with the true nature of America.

By suing each other for every insult ~~every~~ *or* ~~incrimination,~~ every injury -- we naively attempt to rid our world of risk. *No one* ~~Yes,~~ we should ~~not~~ be reckless, but risk is part of life, part of America.

Think about it. As a nation we bring together people of every color and every creed -- but all of us have the same background in this respect. At some time, as our ancestors looked at their lives and said -- lets take a risk, take a chance on something else.

But what would have happened -- if Columbus had sued the sailmakers of the Santa Maria? What if immigrants in 1903, had tried to win pain and suffering damages -- because the floor on Ellis Island had hurt their backs?

We cannot rid our world of risk, nor do we want to. Today, I appeal to the common sense of the American people -- to take a stand for America's values, and give our workers a chance to compete in the world economy.

Thank you for listening. God bless Michigan. God Bless the United States of America.

#

Wisconsin

But when people are injured by defective products, they should be compensated. We need a rational product liability system that protects consumers w/o making innovation impossible.

WHITE HOUSE STAFFING MEMORANDUM

DATE: 9/4/92

92 SEP 4 P8:31

ACTION/CONCURRENCE/COMMENT DUE BY: TODAY, 9/4 5:00 PM !!!

SUBJECT: PRESIDENTIAL REMARKS: WAUKESHA COUNTY PICNIC
 WAUKESHA, WISCONSIN - SUNDAY, 9/6

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCBRIDE	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MOORE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	MULLINS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	PETERSMEYER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BATES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PORTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BRADY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PROVOST	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BROMLEY	<input type="checkbox"/>	<input type="checkbox"/>	ROSS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CALIO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SMITH	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DEMAREST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTWILER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ZOELICK	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	KAUFMAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HOLIDAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	MCGROARTY	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HORNER	<input type="checkbox"/>	<input type="checkbox"/>	BOSKIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please forward your comments directly to Dan McGroarty, Rm. 122, x2930, no later than 5:00 p.m., TODAY, FRI. SEPT. 4, with a copy to this office. Thank you.

RESPONSE:

*Comments attached.
 The changes on pp 5-7 are particularly important
 C. Schauer*

PHILLIP D. BRADY
 Assistant to the President
 and Staff Secretary
 Ext. 2702

Provost/Bunton

12 SEP 4 P2:18

Presidential Remarks
Waukesha County Picnic
Waukesha Wisconsin
Sunday, Sept. 6, 1992

Thank you Governor Tommy Thompson.

Today is Labor Day -- and it is traditional to give a flowery oration -- full of praise of all those who punch a clock for a living.

But I'm not going to do that today. This is an uncertain time for all our American workers. Our economy is undergoing a global transition -- and we are feeling the impact in our workplaces -- in our homes.

You deserve more than talk from your political leaders, you need answers. Answers to the most pressing question before America today -- how can we guarantee that we will remain not just a military superpower -- but an export superpower, and an economic superpower./.

I have an agenda for action to win the global economic competition -- the same way we won the Cold War.// We need to revolutionize our schools, fix our health care system, provide incentives for saving and investment, strengthen the American family, and give you relief from a government that spends too much -- and takes too much of your money./.

But this afternoon, I want to have a serious discussion -- about another roadblock that must be cleared from the path of America's economic progress.

This roadblock is made not of granite and stone, but paper -- legal memos and briefs and decisions -- piled so high that they block our efforts to create new jobs for you and our kids.

Now, if you're like me, one of the first things you do every morning is sit down and read the newspaper. (When you work in politics, you start with Garfield, then work your way to the other stuff up front).

Like you -- I'll occasionally see a story that makes me stop and say -- "huh?"

Like the woman who was on an Eastern Airline flight, when the pilot came over the intercom, warning passengers to prepare for a possible crash landing. The pilot landed the jet safely, but the woman sued the airlines for millions of dollars anyway. She claimed the mere warning of a crash had caused her -- and I quote -- "psychic agony."

Or maybe some of you remember the story about the basketball referee, who made a controversial call at the buzzer of a Purdue-Iowa basketball game. Purdue won the game, and an Iowa souvenir company was suddenly left with victory T-shirts that weren't in all that high demand. So what did the company do? They sued the referee. Sound absurd? The case ended up before the State Supreme Court.

These stories may make us chuckle, but they make me worry. Worry that our nation is in the grips of a litigation explosion - and its impact is being felt everywhere.

Let me be clear -- I have nothing against lawyers. They are an essential part of our society -- and the majority of legal professionals work with integrity and honor. But lets consider a few facts.

The number of lawyers has almost doubled in the past 20 years. Would you believe the U.S. has more lawyers than West Germany, Canada, England, Wales, Japan, Switzerland and France combined? Well, we don't. We have twice as many lawyers as all those countries. And this year, more people will graduate from law school than from engineering, medicine and computer programs combined.

What do all these lawyers do? Lots of things. But primarily, they sue. In the past 20 years, the number of lawsuits (filed in federal courts?) has doubled. Today, the average case takes a year to be resolved -- and in the past year alone -- the number of cases that were pending for 3 years, increased by 15 percent.

(Think about what that means. You can file a suit, and have time to enroll in law school, study three years, graduate, and represent yourself in court on the day the decision is reached.)

What does this litigation explosion cost our economy? Well, the National Association of Manufacturers has just finished looking at that question. According to a soon to be released

OVP (Solon should have the answer)

study, American companies spend \$200 billion dollars on direct costs to lawyers. Keep in mind, that doesn't even count the lawyers on their own payrolls, or the money they end up paying in court settlements.

(\$200 billion sounds like a lot of money -- and believe me, it is. American businesses now spend more on insurance, lawyers and legal fees -- than on training our workers for the new economy.)

Now, all these numbers and stories are impressive, but you might ask -- what does it mean to me? If you look around Waukesha and Wisconsin, you'll see examples -- of how the legal crisis has crept into every crevice of our lives.

Ask Jack Perry, Coach of ~~football~~ Spartans -- at East Brookfield High school.// Today, I'm told Jack and his team pay about \$150 bucks for every football helmet -- ten years ago they paid about a third of that. Why the price increase? Because 18 companies in 18 years have stopped selling helmets, because they can't afford the insurance. (Before this is over, we may go back to the days of Jim Thorpe -- when people played football without helmets. We will call that -- "progress.")

Or ask Mike Yaktus of Madison. Mike is a CPA, and he says that so many people now sue accountants at the drop of a number, that this year four out of ten accountants in Wisconsin are going without insurance. The rest? They just pass the extra cost on to you -- their customers.

You know the legal crisis has touched everyone -- when it becomes a topic of discussion for one of the noted commentators on the American scene. I'm not talking about Mike Royko or Ted Koppel. I'm talking about Hulk Hogan.

My grandkids tell me that in a movie last year -- Hulk Hogan asks the bad guys if they are going to beat him up. And the bad guys say -- "No, this is the nineties. We are going to sue you!"

What is America coming to? As a nation -- isn't it time that we sue each other less -- and care for each other more?//

We are up against two problems really. The first is the individual legal crisis -- crazy lawsuits against volunteers, teachers, doctors, coaches.

I've put forward a comprehensive reform of our Civil Justice System -- complete with specific proposals to solve disputes outside of the courthouse, to speed the legal process, to control the use of expert witnesses, to control outrageous punitive damages. And I believe we should copy a practice from our friends in Britain -- and make the loser pay the winner's court fees. I have a feeling that would put a stop to people who just use the courts as harassment -- ^{was} an expensive equivalent of a car horn. ^{substitute for} ~~equivalent~~ ^(court awards that)

But an equally important problem is what we call -- product liability -- ~~the insurance~~ ^{for} businesses must pay ~~to protect against~~ damages caused by their products and services.

You might think -- we need that protection, and you're right -- but the system is out of control.

Even as a joke, this seems a bit cavalier, and I'm not sure people will get it.

6

Does our current product liability system protect the consumer's interests. Not all at all. Instead, we pay higher prices for everything from medicine to step ladders -- and companies get discouraged from even coming up with new products -- for fear they'll get sued, because the new products are safer than the old ones.]

Well, what about people who are injured by a faulty product, and get a court award -- don't they benefit? Some do. But, more than half of all jury awards in product liability cases, ~~ends up~~ ^{go into} in the pockets of lawyers, not regular people.

Well, at least product liability laws keep us safer, right? Again, the answer is no. In Europe, Volvo offers parents a built-in child safety seat. You can't buy it here in the U.S. The company doesn't want to deal with our laws.

Our current product liability system is expensive, unsafe, and it only benefits lawyers. But we could still afford this mess -- if we were back the 1950's ~~and~~ and our workers and companies faced no foreign competition.

Today, we don't have the luxury. Liability costs are 15 times greater than ~~that~~ in Japan, and 20 times greater than ~~that~~ in Europe. Our businesses -- especially our small businesses -- are staggering under a weight our competitors don't even carry.

The money we spend on legal ~~explosion~~ ^{costs}, is money we don't spend on training, education, research, investment. It means the difference between no jobs for our kids -- and good jobs for our kids.

We have got to do something about this.

We have ideas to speed the legal process -- and settle more cases out of court -- which will help everyone.

And we want to have ~~one~~^a national product liability law ~~that~~^{that} ~~is~~^{to} instead of the confusing 50 (ones) we have today. We want to put ~~s~~ a cap on punitive damages -- which don't even exist outside the U.S. and Great Britain. ~~We won't~~^{want} to make it tougher for people to sue everyone involved with a product, for all the damages. We want to bring some rationality to the system.

The plan is pro-consumer, pro-business, pro-safety, and pro-jobs. The experts agree with us.

So what's the problem? Why do we still face this crisis? In a ~~term~~^{word}, the Gridlock Congress.

I know you are sick of the blame-game in Washington, but keep this in mind. Many members of Congress were once trial lawyers. (Being a radio D.J. is about the only better training you can find.)

Like my opponent, Governor Clinton -- many members of Congress get their campaign funds from trial lawyer organizations. So in many Congressional offices -- the only thing that gathers more attention than a TV camera -- is a lawyer in tasselled loafers.

That's why product liability reform has been blocked. Not just for my three and a half years in office, but for almost a decade.

o my knowledge, we have never proposed eliminating state prod. liability laws, just curbing their excesses.

that is to product

"Joint and several liability" is a legal concept to Conroy in a speech

But this week, we have a chance -- to make our workers more competitive with the Japanese and the Germans.

Product liability reform will be up before the U.S. Senate. It's passed the House -- and we believe we have the votes ~~to~~ to pass the Senate.

But there's a catch -- something called "cloture." Now cloture sounds like something a doctor would give you to keep a wound shut. But it's not. It's the number of votes it takes -- to stop debate in the U.S. Congress. (As you can imagine, getting Congress to stop talking requires a little effort.)

We're not sure we have the votes for cloture. And here's the irony -- Congress may be able to stop the greatest legal reform in a decade -- by using a legal loophole.

I need your help. I need a Labor Day present for the American economy, and for the jobs of the future.

I need you to get on the phone and let Congress know, the American people are tired of reading about crazy lawsuits. Tired of high prices. Tired of unsafe products. Most of all, we're tired of losing jobs to the Europeans and the Japanese.//

What troubles me so about our litigation crisis, is that it is so at odds with the true nature of America.

By suing each other for every insult, every incrimination, every injury -- we naively attempt to rid our world of risk. Yes, we should not be reckless, but risk is part of life, part of America.

and ~~that~~ we should be compensated when someone ~~is~~ wrongfully causes serious injury,

minor ✓

Think about it. As a nation we bring together people of every color and every creed -- but all of us have the same background in this respect. At some time, as our ancestors looked at their lives ^{they} and said -- let's take a risk, take a chance on something else. ✓

But what would have happened -- if Columbus had sued the sailmakers of the Santa Maria? What if immigrants in 1903 had tried to win pain and suffering damages -- because the floor on Ellis Island had hurt their backs? e

We cannot rid our world of risk, nor do we want to. Today, I appeal to the common sense of the American people -- to take a stand for America's values, and give our workers a chance to compete in the world economy.

Thank you for listening. God bless ^{Wisconsin} Michigan. God Bless the United States of America.

#

He's a
W.A. ...

THE WHITE HOUSE

WASHINGTON

September 4, 1992

MEMORANDUM FOR DAN MCGROARTY

FROM: ROGER B. PORTER *RBP*
SUBJECT: Presidential Remarks: Waukesha County Picnic

We have reviewed the attached remarks and have noted several suggested changes on the draft.

Please let us know if you have any questions or if we may help in any other way.

cc: Phillip D. Brady

Document No. 348655ss

WHITE HOUSE STAFFING MEMORANDUM

DATE: 9/4/92 ACTION/CONCURRENCE/COMMENT DUE BY: TODAY, 9/4 5:00pm/11

SUBJECT: PRESIDENTIAL REMARKS: WAUKESHA COUNTY PICNIC
WAUKESHA, WISCONSIN - SUNDAY, 9/6

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCBRIDE	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MOORE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	MULLINS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	PETERSMEYER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BATES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PORTER	<input type="checkbox"/>	<input type="checkbox"/>
BRADY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PROVOST	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BROMLEY	<input type="checkbox"/>	<input type="checkbox"/>	ROSS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CALIO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SMITH	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DEMAREST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTWILER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ZOELICK	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	KAUFMAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HOLIDAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>MCGROARTY</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HORNER	<input type="checkbox"/>	<input type="checkbox"/>	<u>BOSKIN</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please forward your comments directly to Dan McGroarty, Rm. 122, x2930, no later than 5:00 p.m., TODAY, FRI. SEPT. 4, with a copy to this office. Thank you.

RESPONSE:

PHILLIP D. BRADY
Assistant to the President
and Staff Secretary
Ext. 2702

Provost/Bunton

2 SEP 4 P2:18

Presidential Remarks
 Waukesha County Picnic
 Waukesha Wisconsin
 Sunday, Sept. 6, 1992

Thank you Governor Tommy Thompson.

Today is Labor Day -- and it is traditional to give a flowery oration -- full of praise of all those who punch a clock for a living.

WHILE THOSE WHO PUT IN A HARD DAYS WORK CERTAINLY DESERVE OUR PRAISE,
~~But~~ I'm not going to do that today. This is an uncertain time for all ~~our~~ American workers. Our economy is undergoing a global transition -- ^{TO A GLOBAL ECONOMY} and we are feeling the impact in our workplaces -- in our homes.

You deserve more than talk from your political leaders, you need answers. Answers to the most pressing question before America today -- ^{BUILD UPON OUR STRENGTHS AND} how can we ~~guarantee~~ that we ~~will~~ remain ~~not~~ just a military superpower -- ~~but~~ an export superpower, and an economic superpower.

I have an agenda for action to win the global economic competition -- the same way we won the Cold War.// We need to revolutionize our schools, fix our health care system, provide incentives for saving and investment, strengthen the American family, and ^{RESTRAIN} ~~give you relief from~~ a government that spends too much -- and takes too much of your money.

2

But this afternoon, I want to have a serious discussion -- about another roadblock that must be cleared from the path of America's economic progress.

This roadblock is made not of granite and stone, but paper -- legal memos and briefs and decisions -- piled so high that they block our efforts to create new jobs for you and our kids.

Now, if you're like me, one of the first things you do every morning is sit down and read the newspaper. ~~(When you work in politics, you start with Garfield, then work your way to the other stuff up front).~~

Like you -- I'll occasionally see a story that makes me stop and say -- "huh?"

Like the woman who was on an Eastern Airline^S flight, when the pilot came over the intercom, warning passengers to prepare for a possible crash landing. The pilot landed the jet safely, but the woman sued the airlines for millions of dollars anyway. She claimed the mere warning of a crash had caused her -- and I quote -- "psychic agony."

Or maybe some of you remember the story about the basketball referee, who made a controversial call at the buzzer of a Purdue-Iowa basketball game. Purdue won the game, and an Iowa souvenir company was suddenly left with victory T-shirts that weren't in all that high demand. So what did the company do? They sued the referee. Sound absurd? The case ended up before the State Supreme Court.

These stories may make us chuckle, but they make me worry. Worry that our nation is in the grips of a litigation explosion - - and it's impact is being felt everywhere.

Let me be clear -- I have nothing against lawyers. They are an essential part of our society -- and the majority of legal professionals work with integrity and honor. But lets consider a few facts.

The number of lawyers has almost doubled in the past 20 years. Would you believe the U.S. has more lawyers than West Germany, Canada, England, Wales, Japan, Switzerland and France

combined? Well, we don't. We have twice as many lawyers as all those countries. ^{EVEN IN 1988 WE WERE ALREADY GRADUATING MORE LAWYERS} ~~And this year, more people will graduate from law school than from engineering, medicine and computer programs combined.~~
 THAN DOCTORS, COMPUTER PROGRAMMERS AND ASSISTANTS
 ENGINEERING Ph.D.S COMBINED

What do all these lawyers do? Lots of things. But primarily, they sue. In the past 20 years, the number of lawsuits (filed in federal courts?) has doubled. Today, the average case takes a year to be resolved -- and in the past year alone -- the number of cases that were pending for 3 years, increased by 15 percent.

(Think about what that means. You can file a suit, and have time to enroll in law school, study three years, graduate, and represent yourself in court on the day the decision is reached.)

What does this litigation explosion cost our economy? Well, the National Association of Manufacturers has just finished looking at that question. According to a soon to be released

IN LEGAL SERVICES THIS YEAR

study, American ^{CONSUMERS AND} companies spend ^{UP TO} \$200 billion dollars ~~on directly~~ ^{will} ~~costs to lawyers~~. Keep in mind, that doesn't even count the ^{COMPANY} lawyers on ~~their own~~ payrolls, or the money they end up ^{GETTING PAID AS} ~~paying in~~ court settlements. ^{A RESULT OF LARGE DAMAGE AWARDS}

(\$200 billion sounds like a lot of money -- and believe me, it is. American businesses now spend more on insurance, lawyers and legal fees -- than on training our workers ^{TO COMPETE IN THE EMERGING} ~~for the new~~ economy.)

GLOBAL

Now, all these numbers and stories are impressive, but you might ask -- what does it mean to me? If you look around Waukesha and Wisconsin, you'll see examples -- of how the legal crisis has crept into every crevice of our lives.

Ask Jack Perry, ^{FOOTBALL} Coach of ~~football Spartans~~ ^{THE} at East Brookfield High ^{SPARTANS} school. // Today, I'm told Jack and his team pay about \$150 bucks for every football helmet -- ten years ago they paid about a third of that. Why the price increase? Because 18 companies in 18 years have stopped selling helmets, because they can't afford the insurance. (Before this is over, we may go back to the days of Jim Thorpe -- when people played football without helmets. We will call that -- "progress.")

Or ask Mike Yaktus of Madison. Mike is a CPA, and he says that so many people now sue accountants at the drop of a number, that this year four out of ten accountants in Wisconsin are going without insurance. The rest? They just pass the extra cost on to you -- their customers.

BECAUSE THEY CAN'T AFFORD THE PREMIUMS.

You know the legal crisis has touched everyone -- when it becomes a topic of discussion for one of the noted commentators on the American scene. I'm not talking about Mike Royko or Ted Koppel. I'm talking about Hulk Hogan.

My grandkids tell me that in a movie last year -- Hulk Hogan asks the bad guys if they are going to beat him up. And the bad guys say -- "No, this is the nineties. We are going to sue you!"

What is America coming to? As a nation -- isn't it time that we sue each other less -- and care for each other more?//

We are up against two problems really. The first is the individual legal crisis -- crazy lawsuits against volunteers, teachers, doctors, coaches.

ALTERNATIVE DISPUTE RESOLUTION CAN BE CONDUCTED IN COURTHOUSES

I've put forward a comprehensive reform of our Civil Justice System -- complete with specific proposals to solve disputes outside of the ^{ROOM} courthouses, to speed the legal process, to control the use of expert witnesses, ^{AND} to control outrageous punitive damages. And I believe we should ^{ADOPT} copy a practice from our friends in Britain -- and ^{IN APPROPRIATE CASES} make the loser pay the winner's court fees. I have a feeling that would put a stop to people who just use the courts ^{TO} as harassment ^{OF OTHERS} -- an expensive equivalent of a car horn.

WE ARE TRYING THIS OUT IN FEDERAL DIVERSITY CASE ONLY. WE HAVE ALSO ADVOCATED WHERE SETTLEMENT OFFER REFUSED AND COURT VERDICT SHOWS OFFER WAS FAIR. NOT YET ADVOCATED FOR EVERY CASE.

But an equally important problem is what we call -- product liability -- the insurance businesses must pay to protect against damages caused by their products and services.

You might think -- we need that protection, and you're right -- but the system is out of control.

6

Does our current product liability system protect the consumer's interests. Not ~~all~~ at all. Instead, we pay higher prices for everything from medicine to step ladders -- and companies get discouraged from even ^{DEVELOPING} coming up with new products - for fear they'll get sued because the new products are ^{NOT AS} safer ^{AS} than the old ones.

Well, what about people who are injured by a faulty product, and get a court award -- don't they benefit? Some do. But, more than half of all jury awards in product liability cases, ends up in the pockets of lawyers, not ^{THE INSURED PERSON} regular people.

Well, at least product liability laws keep us safer, right? Again, the answer is no. In Europe, Volvo offers parents a built-in child safety seat. You can't buy it here in the U.S. The company doesn't want to deal with our laws.

Our current product liability system is expensive, unsafe, and it only benefits lawyers. But we could still afford this mess -- if we were back the ^{IN} 1950's -- and our workers and companies faced no foreign competition.

Today, we don't have the luxury. Liability costs are 15 times greater than ^{THOSE} ~~that~~ in Japan, and 20 times greater than ~~that~~ in Europe. Our businesses -- especially our small businesses -- are staggering under a weight our competitors don't even carry.

The money we spend on ^{THIS} legal explosion, is money we don't spend on training, education, research, investment. It means the difference between no jobs for our kids -- and good jobs for our kids.

7

We have got to do something about this.

We have ideas to speed the legal process -- and settle more cases out of court -- which will help everyone.

And we want to have one national product liability law -- instead of the ^{CONFUSION OF} ~~confusing~~ 50 ^{SEPARATE STATE LAWS} (~~ones~~) we have today. We want to put a cap on punitive damages -- which don't even exist outside the U.S. and Great Britain. ^{WANT} We ~~want~~ to make it tougher for people to sue everyone involved with a product for all the damages. We want to bring some rationality to the system.

The plan is pro-consumer, pro-business, pro-safety, and pro-jobs. The experts agree with us.

So what's the problem? Why do we still face this crisis? In a term, the Gridlock Congress.

I know you are sick of the blame-game in Washington, but keep this in mind. Many members of Congress were once trial lawyers. (Being a radio D.J. is about the only better training you can find.)

Like my opponent, Governor Clinton -- many members of Congress get their campaign funds from trial lawyer organizations. So in many Congressional offices -- the only thing that gathers more attention than a TV camera -- is a lawyer in tasselled loafers.

That's why product liability reform has been blocked. Not just for my three and a half years in office, but for almost a decade.

8

But this week, we have a chance -- to make our workers more competitive with the Japanese and the Germans.

Product liability reform will be up before the U.S. Senate. ~~It's passed the House --~~ and we believe we have the votes -- to pass the Senate.

But there's a catch -- something called "cloture." Now cloture sounds like something a doctor would give you to keep a wound shut. But it's not. It's the number of votes it takes -- to stop debate in the U.S. Congress. (As you can imagine, getting Congress to stop talking requires a little effort.)

We're not sure we have the votes for cloture. And here's the irony -- Congress may be able to stop the greatest legal reform in a decade -- by using a legal loophole.

I need your help. I need a labor day present for the American economy, and for the jobs of the future.

I need you to get on the phone and let Congress know, the American people are tired of reading about crazy lawsuits. Tired of high prices. Tired of unsafe products. Most of all, we're tired of loosing jobs to the Europeans and the Japanese.//

What troubles me so about our litigation crisis, is that it is so at odds with the true nature of America.

By suing each other for every insult, every incrimination, every injury -- we naively attempt to rid our world of risk. Yes, we should not be reckless, but risk is part of life, part of America.

A CERTAIN AMOUNT OF

9

Think about it. As a nation we bring together people of every color and every creed -- but all of us have the same background in this respect. At some time, ^{as} our ancestors looked at their lives and said -- lets take a risk, take a chance on something ^{NEW} ~~else~~.

But what would have happened -- if Columbus had sued the sailmakers of the Santa Maria? What if immigrants in 1903, had tried to win pain and suffering damages -- because the ~~floor on~~ ^{BOATS THAT BROUGHT THEM TO} Ellis Island ^{WERE OVERCROWDED?} ~~had hurt their backs?~~

We cannot rid our world of risk, nor do we want to. Today, I appeal to the common sense of the American people -- to take a stand for America's values, and give our workers a chance to compete in the world economy.

Thank you for listening. God bless Michigan. God Bless the United States of America.

#

need to recognize Bob Kasten - he has been pushing P.L. Reform for years.

The day we honor American workers. And honor it is that they deserve. And honor the are the best workers in the entire world.

It's not rather than just talking to you about a worker, I want to talk to you about a problem that affects all American workers.

Provost/Bunton

Presidential Remarks
Waukesha County Picnic
Waukesha Wisconsin
Sunday, Sept. 6, 1992

Thank you Governor Tommy Thompson.

Today is Labor Day -- and it is traditional to give a flowery oration -- full of praise of all those who punch a clock for a living.

But I'm not going to do that today. This is an uncertain time for all our American workers. Our economy is undergoing a global transition -- and we are feeling the impact in our workplaces -- in our homes.

You deserve more than talk from your political leaders & you need answers. Answers to the most pressing question before America today -- how can we guarantee that we will remain not just a military superpower -- but an export superpower, and an economic superpower.

I have an agenda for action to win the global economic competition -- the same way we won the Cold War.// We need to revolutionize our schools, fix our health care system, provide incentives for saving and investment, strengthen the American family, and give you relief from a government that spends too much -- and takes too much of your money.

should've been out the library and more right to the problem we're addressing?

(Whose comments are these?)

our legal system. It is something we need to consider because

And, as I see it, our ^{current} legal system is a
~~But this afternoon, I want to have a serious discussion --~~
~~about another~~ roadblock that must be cleared from the path of
America's economic progress.

This roadblock is made not of granite and stone, but paper -
-legal memos and briefs and decisions -- piled so high that they
block our efforts to create new jobs for you and our kids.

Now, if you're like me, one of the first things you do every
morning is sit down and read the newspaper. (When you work in
politics, you start with Garfield, then work your way to the
other stuff up front). *Jweak*

Like you -- I'll occasionally see a story that makes me stop
and say -- "huh?"

Like the woman who was on an Eastern Airline flight, when
the pilot came over the intercom, warning passengers to prepare
for a possible crash landing. The pilot landed the jet safely,
but the woman sued the airlines for millions of dollars anyway.
She claimed the mere warning of a crash had caused her -- and I
quote -- "psychic agony." *[scribble]*

Or maybe some of you remember the story about the basketball
referee, who made a controversial call at the buzzer of a Purdue-
Iowa basketball game. Purdue won the game, and an Iowa souvenir
company was suddenly left with victory T-shirts that weren't in
all that high demand. So what did the company do? They sued the
referee. Sound absurd? The case ended up before the State
Supreme Court.

and in the cost of services you want to buy.

whether

These stories may make us chuckle, but they make me worry. ~~Worry that our nation is in the grips of a litigation explosion - and its impact is being felt everywhere.~~ *or not the suit is won, it costs you money. An court time; on these price products; you sell you pay for*

Let me be clear -- I have nothing against lawyers. They are an essential part of our society -- and the majority of legal professionals work with integrity and honor. But lets consider a few facts.

The number of lawyers has almost doubled in the past 20 years. Would you believe the U.S. has more lawyers than West Germany, Canada, England, Wales, Japan, Switzerland and France combined? Well, we don't. *ok In fact,* We have twice as many lawyers as all those countries. And this year, more people will graduate from law school than from engineering, medicine and computer programs combined.

What do all these lawyers do? Lots of things. But primarily, they sue. In the past 20 years, the number of lawsuits (filed in federal courts?) has doubled. Today, the average case takes a year to be resolved -- and in the past year alone -- the number of cases that were pending for 3 years, increased by 15 percent.

(Think about what that means. You can file a suit, and have time to enroll in law school, study three years, graduate, and represent yourself in court on the day the decision is reached.)

Actually, you also have to pass the bar exam.

What does this litigation explosion cost our economy? Well, the National Association of Manufacturers has just finished looking at that question. According to a soon to be released

study, American companies spend \$200 billion dollars on direct costs to lawyers. Keep in mind, that doesn't even count the lawyers on their own payrolls, or the money they end up paying in court settlements.

(\$200 billion sounds like a lot of money -- and believe me, it is. American businesses now spend more on insurance, lawyers and legal fees -- than on training our workers for the new economy.) *Folks, that is ridiculous.*

Now, all these numbers and stories are impressive, but you might ask -- what does it mean to me? If you look around Waukesha and Wisconsin, you'll see examples -- of how the legal crisis has crept into every crevice of our lives.

Ask Jack Perry, Coach of ^{the} football Spartans -- at East Brookfield High school.// Today, I'm told Jack and his team pay about \$150 bucks for every football helmet -- ten years ago they paid about a third of that. Why the price increase? Because 18 companies in 18 years have stopped selling helmets, because they can't afford the insurance. (Before this is over, we may go back to the days of Jim Thorpe -- when people played football without helmets. ^{Is} ~~We~~ will call that -- "progress?")

Or ask Mike Yaktus of Madison. Mike is a CPA, and he says that so many people now sue accountants at the drop of a number, that this year four out of ten accountants in Wisconsin are going without insurance. The rest? They just pass the extra cost on to you -- their customers.

You know the legal crisis has touched everyone -- when it becomes a topic of discussion for one of the noted commentators on the American scene. I'm not talking about Mike Royko or Ted Koppel. I'm talking about Hulk Hogan.

My grandkids tell me that in a movie last year -- Hulk Hogan asks the bad guys if they are going to beat him up. And the bad guys say -- "No, this is the nineties. We are going to sue you!"

What is America coming to? As a nation -- isn't it time that we sue each other less -- and care for each other more?//

Personally, I think that I believe that it is. That is why I have
We are up against two problems really. The first is the individual legal crisis -- crazy lawsuits against volunteers, teachers, doctors, coaches.

sent Congress
I've put forward a comprehensive reform of our Civil Justice System, *It is* complete with specific proposals to solve disputes outside of the courthouse, to speed the legal process, to control the use of expert witnesses, to control outrageous punitive damages. And I believe we should copy a practice from our friends in Britain -- and make the loser pay the winner's court fees. I have a feeling that would put a stop to people who just use the courts as harassment -- an expensive equivalent of a car

horn. *Let me focus on an especially important part of the crisis in our civil justice system -- ~~product~~ our product liability laws. These are the laws that are supposed to allow people to be compensated if a product caused them*
But an equally important problem is what we call -- product liability -- the insurance businesses must pay to protect against damages caused by their products and services.

But, like so much of the rest of our current civil justice system, the product liability has been ~~careened out~~ careened out
You might think -- we need that protection, and you're right -- but the system is out of control.

At the moment, the insurance industry is the main cause of the problem.

I don't get this!

an important right and I am all for it. People ought to receive compensation when a product is defective and they are hurt by it.
by a defective product. That's fair

~~The~~ Product liability laws vary from state to state and the rules have made it possible encouraged crazy lawsuits and some ~~crazy awards~~ crazy awards. Because of this, the number of lawsuits and the costs of defending them have exploded. A lot of lawyers ^{bring suits that} knowing that it is

~~Does our current product liability system protect the consumer's interests. Not all at all. Instead,~~ we pay higher

prices for everything from medicine to step ladders. -- and ~~there are a lot of good products we never see because their makers are afraid to put them on the market.~~ -- for fear they'll get sued because the new products are safer than the old ones.

Well, what about people who are injured by a faulty product, and get a court award -- don't they benefit? Some do. But, more than half of all ^{the money is} jury awards ^{ed by jurors} in product liability cases, ends up in the pockets of lawyers, not regular people. Let

Well, at least product liability laws keep us safer, right? ~~Let me give you a good example.~~ Again, the answer is no. In Europe, Volvo offers parents a

built-in child safety seat. You can't buy it here in the U.S. The company doesn't want to deal with our laws.

~~Let me give you another - DPT.~~ Our current product liability system is expensive, unsafe, and it only benefits lawyers. But we could still afford this mess -- if we were back the 1950's -- and our workers and companies faced no foreign competition.

Jobs

Today, we don't have the luxury. Liability costs are 15 times greater than that in Japan, and 20 times greater than that in Europe. Our businesses -- especially our small businesses -- are staggering under a weight our competitors don't even carry.

The money we spend on legal explosion, is money we don't spend on training, education, research, investment. It means the difference between no jobs for our kids -- and good jobs for our kids.

Japan for companies to settle the case than to pay their own lawyers to defend it through trial. And, the cost of insurance has become prohibitive.

Document No. 348655aa

WHITE HOUSE STAFFING MEMORANDUM

DATE: 9/4/92 ACTION/CONCURRENCE/COMMENT DUE BY: TODAY, 9/4 5:00pm

PRESIDENTIAL REMARKS: WALKESHA COUNTY PICNIC
SUBJECT: WALKESHA, WISCONSIN - SUNDAY, 9/6

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCBRIDE	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MOORE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	MULLINS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	PETERSMEYER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BATES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PORTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BRADY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PROVOST	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BROMLEY	<input type="checkbox"/>	<input type="checkbox"/>	ROSS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CALIO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SMITH	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DEMAREST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTWILER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ZOELICK	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	KAUFMAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HOLIDAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	MCGROARTY	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HORNER	<input type="checkbox"/>	<input type="checkbox"/>	BOSKIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please forward your comments directly to Dan McGroarty, Rm. 122, x2930, no later than 5:00 p.m., TODAY, FRI. SEPT. 4, with a copy to this office. Thank you.

RESPONSE:

PHILLIP D. BRADY
Assistant to the President
and Staff Secretary
Ext. 2702

Provost/Bunton

2 SEP 4 P2:18

Presidential Remarks
Waukesha County Picnic
Waukesha Wisconsin
Sunday, Sept. 6, 1992

Thank you Governor Tommy Thompson.

Today is Labor Day -- and it is traditional to give a flowery oration -- full of praise of all those who punch a clock for a living.

WHILE THOSE WHO PUT IN A HARD DAYS WORK CERTAINLY DESERVE OUR PRAISE,
~~But~~ I'm not going to do that today. This is an uncertain time for all ~~our~~ ^g American workers. Our economy is undergoing a ~~global~~ ^{TO A GLOBAL ECONOMY} transition -- and we are feeling the impact in our workplaces -- in our homes.

You deserve more than talk from your political leaders, you need answers. Answers to the most pressing question before America today -- ^{BUILD UPON OUR STRENGTHS AND} how can we ~~guarantee~~ that we will remain not ~~just~~ ^g a military superpower -- ~~but~~ ^g an export superpower, and an economic superpower.//

I have an agenda for action to win the global economic competition -- the same way we won the Cold War.// We need to revolutionize our schools, fix our health care system, provide incentives for saving and investment, strengthen the American family, and ^{RESTRAIN} ~~give you relief from~~ a government that spends too much -- and takes too much of your money.//

2

But this afternoon, I want to have a serious discussion -- about another roadblock that must be cleared from the path of America's economic progress.

This roadblock is made not of granite and stone, but paper - legal memos and briefs and decisions -- piled so high that they block our efforts to create new jobs for you and our kids.

Now, if you're like me, one of the first things you do every morning is sit down and read the newspaper. ~~(When you work in politics, you start with Garfield, then work your way to the other stuff up front).~~

Like you -- I'll occasionally see a story that makes me stop and say -- "huh?"

Like the woman who was on an Eastern Airlines^S flight, when the pilot came over the intercom, warning passengers to prepare for a possible crash landing. The pilot landed the jet safely, but the woman sued the airlines for millions of dollars anyway. She claimed the mere warning of a crash had caused her -- and I quote -- "psychic agony."

Or maybe some of you remember the story about the basketball referee, who made a controversial call at the buzzer of a Purdue-Iowa basketball game. Purdue won the game, and an Iowa souvenir company was suddenly left with victory T-shirts that weren't in all that high demand. So what did the company do? They sued the referee. Sound absurd? The case ended up before the State Supreme Court.

These stories may make us chuckle, but they make me worry. Worry that our nation is in the grips of a litigation explosion - - and it's impact is being felt everywhere.

Let me be clear -- I have nothing against lawyers. They are an essential part of our society -- and the majority of legal professionals work with integrity and honor. But lets consider a few facts.

The number of lawyers has almost doubled in the past 20 years. Would you believe the U.S. has more lawyers than West Germany, Canada, England, Wales, Japan, Switzerland and France combined? Well, we don't. We have twice as many lawyers as all these countries. *EVEN IN 1978 WE WERE ALREADY GRADUATING MORE LAWYERS* ~~And this year, more people will graduate from law school than from engineering, medicine and computer program combined.~~ *THAN Doctors Computer Programmers AND ENGINEERING Ph.D.s COMBINED*

What do all these lawyers do? Lots of things. But primarily, they sue. In the past 20 years, the number of lawsuits (filed in federal courts?) has doubled. Today, the average case takes a year to be resolved -- and in the past year alone -- the number of cases that were pending for 1 year, increased by 15 percent.

(Think about what that means. You can file a suit, and have time to enroll in law school, study three years, graduate, and represent yourself in court on the day the decision is reached.)

What does this litigation explosion cost our economy? Well, the National Association of Manufacturers has just finished looking at that question. According to a soon to be released

IN LEGAL SERVICES THIS YEAR

CONSUMERS AND UP TO
study, American companies spend \$200 billion dollars ~~on lawyers~~
~~costs to lawyers~~. Keep in mind, that doesn't even count the
lawyers on their own payrolls, or the money they end up ~~paying in~~ GETTING PAID AS
A RESULT OF LARGE DAMAGE AWARDS.
~~court settlements.~~

(\$200 billion sounds like a lot of money -- and believe me, it is. American businesses now spend more on insurance, lawyers and legal fees -- than on training our workers ~~for the new~~ TO COMPETE IN THE EMERGING economy.)

GLOBAL

Now, all these numbers and stories are impressive, but you might ask -- what does it mean to me? If you look around Waukesha and Wisconsin, you'll see examples -- of how the legal crisis has crept into every crevice of our lives.

Ask Jack Perry, ^{FOOTBALL} Coach of ~~THE~~ Spartans ~~at East~~ BROOKFIELD HIGH SCHOOL. // Today, I'm told Jack and his team pay about \$150 bucks for every football helmet -- ten years ago they paid about a third of that. Why the price increase? Because 18 companies in 18 years have stopped selling helmets, because they can't afford the insurance. (Before this is over, we may go back to the days of Jim Thorpe -- when people played football without helmets. We will call that -- "progress.")

Or ask Mike Yaktus of Madison. Mike is a CPA, and he says that so many people now sue accountants at the drop of a number, that this year four out of ten accountants in Wisconsin are going without insurance! The rest? They just pass the extra cost on to you -- their customers.

BECAUSE THEY CAN'T AFFORD THE PREMIUMS.

You know the legal crisis has touched everyone -- when it becomes a topic of discussion for one of the noted commentators on the American scene. I'm not talking about Mike Royko or Ted Koppel. I'm talking about Hulk Hogan.

My grandkids tell me that in a movie last year -- Hulk Hogan asks the bad guys if they are going to beat him up. And the bad guys say -- "No, this is the nineties. We are going to sue you!"

What is America coming to? As a nation -- isn't it time that we sue each other less -- and care for each other more?

We are up against two problems really. The first is the individual legal crisis -- crazy lawsuits against volunteers, teachers, doctors, coaches.

ALTERNATIVE DISPUTE RESOLUTION CAN BE CONSIDERED IN COURTHOUSES

I've put forward a comprehensive reform of our Civil Justice system -- complete with specific proposals to solve disputes outside of the courtroom, to speed the legal process, to control the use of expert witnesses, AND to control outrageous punitive damages. And I believe we should ^{ADOPT} ~~copy~~ a practice from our friends in Britain -- and ^{IN APPROPRIATE CASES} make the loser pay the winner's court fees. I have a feeling that would put a stop to people who just use the courts ^{TO} ~~as~~ harassment ^{OF OTHERS} -- ~~an expensive equivalent of a car wash.~~

WE ARE TRYING THIS OUT IN FEDERAL DISTRICTS ONLY. WE HAD ALSO ADVISOR WHERE RETURN OFFER REFUSAL AND COURT VERDICT SHOW OFFER WAS FAIR. NOT YET ADVISOR FOR EVERY CASE.

But an equally important problem is what we call -- product liability -- the insurance businesses must pay to protect against damages caused by their products and services.

You might think -- we need that protection, and you're right -- but the system is out of control.

Does our current product liability system protect the consumer's interests. Not ~~all~~ ^J at all. Instead, we pay higher prices for everything from medicine to step ladders -- and companies get discouraged from even ~~coming up with~~ ^{DEVELOPING} new products - for fear they'll get sued because the new products are ^{NOT AS} ~~safer~~ ^J ~~than~~ ^{AS} the old ones.

Well, what about people who are injured by a faulty product, and get a court award -- don't they benefit? Some do. But, more than half of all jury awards in product liability cases, ends up in the pockets of lawyers, not ~~regular people~~ ^{THE INSURED PERSON}.

Well, at least product liability laws keep us safer, right? Again, the answer is no. In Europe, Volvo offers parents a built-in child safety seat. You can't buy it here in the U.S. The company doesn't want to deal with our laws.

Our current product liability system is expensive, unsafe, and it only benefits lawyers. But we could still afford this mess -- if we were back ^{IN} the 1950's -- and our workers and companies faced no foreign competition.

Today, we don't have the luxury. Liability costs are 15 times greater than ~~that~~ ^{THOSE} in Japan, and 20 times greater than ~~that~~ ^J in Europe. Our businesses -- especially our small businesses -- are staggering under a weight our competitors don't even carry.

The money we spend on ^{THIS} legal explosion ^J is money we don't spend on training, education, research, investment. It means the difference between no jobs for our kids -- and good jobs for our kids.

7

We have got to do something about this.

We have ideas to speed the legal process -- and settle more cases out of court -- which will help everyone.

And we want to have one national product liability law -- instead of the ^{CONFUSION OF} ~~confusing~~ ^{SEPARATE STATE LAWS} ~~so~~ ^{we} have today. We want to put a cap on punitive damages -- which don't even exist outside the U.S. and Great Britain. ^{WANT} We ~~want~~ to make it tougher for people to sue everyone involved with a product for all the damages. We want to bring some rationality to the system.

The plan is pro-consumer, pro-business, pro-safety, and pro-jobs. The experts agree with us.

So what's the problem? Why do we still face this crisis? In a term, the Gridlock Congress.

I know you are sick of the blame-game in Washington, but keep this in mind. Many members of Congress were once trial lawyers. (Being a radio D.J. is about the only better training you can find.)] ?

Like my opponent, Governor Clinton -- many members of Congress get their campaign funds from trial lawyer organizations. So in many Congressional offices -- the only thing that gathers more attention than a TV camera -- is a lawyer in tasselled loafers.

That's why product liability reform has been blocked. Not just for my three and a half years in office, but for almost a decade.

5

But this week, we have a chance -- to make our workers more competitive with the Japanese and the Germans.

Product liability reform will be up before the U.S. Senate. ~~It's passed the House~~ and we believe we have the votes -- to pass the Senate.

But there's a catch -- something called "cloture." Now cloture sounds like something a doctor would give you to keep a wound shut. But it's not. It's the number of votes it takes -- to stop debate in the U.S. Congress. (As you can imagine, getting Congress to stop talking requires a little effort.)

We're not sure we have the votes for cloture. And here's the irony -- Congress may be able to stop the greatest legal reform in a decade -- by using a legal loophole.

I need your help. I need a labor day present for the American economy, and for the jobs of the future.

I need you to get on the phone and let Congress know, the American people are tired of reading about crazy lawsuits. Tired of high prices. Tired of unsafe products. Most of all, we're tired of losing jobs to the Europeans and the Japanese.//

What troubles me so about our litigation crisis, is that it is so at odds with the true nature of America.

By suing each other for every insult, every incrimination, every injury -- we naively attempt to rid our world of risk. Yes, we should not be reckless, but [^] risk is part of life, part of America.

A CERTAIN AMOUNT OF

9

Think about it. As a nation we bring together people of every color and every creed -- but all of us have the same background in this respect. At some time, ^{as} our ancestors looked at their lives and said -- lets take a risk, take a chance on something ^{NEW} ~~else~~.

But what would have happened -- if Columbus had sued the sailmakers of the Santa Maria? What if immigrants in 1903, had tried to win pain and suffering damages -- because the ~~floor on~~ ^{BOATS THAT BROUGHT THEM TO} Ellis Island ^{WERE OVERCROWDED?} ~~had hurt their backs?~~

We cannot rid our world of risk, nor do we want to. Today, I appeal to the common sense of the American people -- to take a stand for America's values, and give our workers a chance to compete in the world economy.

Thank you for listening. God bless Michigan. God Bless the United States of America.

• • •



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

9-4-92
92 SEP 4 P7:15

NOTICE:

Enclosed are comments from staff members of the Office of Management and Budget (OMB). Such comments do not necessarily represent the official position of the Director of OMB or of the Office of Management and Budget. If you wish to have the Director's personal comments, please let me know -- and contact me if you have any questions.

James C. Murr
Associate Director for
Legislative Reference
and Administration

WHITE HOUSE STAFFING MEMORANDUM

DATE: 9/4/92 ACTION/CONCURRENCE/COMMENT DUE BY: TODAY, 9/4 5:00pm!!!

SUBJECT: PRESIDENTIAL REMARKS: WAUKESHA COUNTY PICNIC
WAUKESHA, WISCONSIN - SUNDAY, 9/6

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCBRIDE	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MOORE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	MULLINS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	PETERSMEYER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BATES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PORTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BRADY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PROVOST	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BROMLEY	<input type="checkbox"/>	<input type="checkbox"/>	ROSS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CALIO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SMITH	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DEMAREST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTWILER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ZOELICK	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>KAUFMAN</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HOLIDAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>MCGROARTY</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HORNER	<input type="checkbox"/>	<input type="checkbox"/>	<u>BOSKIN</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please forward your comments directly to Dan McGroarty, Rm. 122, x2930, no later than 5:00 p.m., TODAY, FRI. SEPT. 4, with a copy to this office. Thank you.

RESPONSE:

*See comments
 (R. Brady and T. Scully may respond
 at a later time)*

PHILLIP D. BRADY
 Assistant to the President
 and Staff Secretary
 Ext. 2702

Provost/Bunton

2 SEP 4 P2:18

Presidential Remarks
Waukesha County Picnic
Waukesha Wisconsin
Sunday, Sept. 6, 1992

Thank you Governor Tommy Thompson.

Today is Labor Day -- and it is traditional to give a flowery oration -- full of praise of all those who punch a clock for a living.

But I'm not going to do that today. This is an uncertain time for all our American workers. Our economy is undergoing a global transition -- and we are feeling the impact in our workplaces -- in our homes.

You deserve more than talk from your political leaders, you need answers. Answers to the most pressing question before America today -- how can we guarantee that we will remain not just a military superpower -- but an export superpower, and an economic superpower./.

I have an agenda for action to win the global economic competition -- the same way we won the Cold War.// We need to revolutionize our schools, fix our health care system, provide incentives for saving and investment, strengthen the American family, and give you relief from a government that spends too much -- and takes too much of your money./.

But this afternoon, I want to have a serious discussion -- about another roadblock that must be cleared from the path of America's economic progress.

This roadblock is made not of granite and stone, but paper -- legal memos and briefs and decisions -- piled so high that they block our efforts to create new jobs for you and our kids.

Now, if you're like me, one of the first things you do every morning is sit down and read the newspaper. (When you work in politics, you start with Garfield, then work your way to the other stuff up front).

Like you -- I'll occasionally see a story that makes me stop and say -- "huh?"

Like the woman who was on an Eastern Airline flight, when the pilot came over the intercom, warning passengers to prepare for a possible crash landing. The pilot landed the jet safely, but the woman sued the airlines for millions of dollars anyway. She claimed the mere warning of a crash had caused her -- and I quote -- "psychic agony."

Or maybe some of you remember the story about the basketball referee, who made a controversial call at the buzzer of a Purdue-Iowa basketball game. Purdue won the game, and an Iowa souvenir company was suddenly left with victory T-shirts that weren't in all that high demand. So what did the company do? They sued the referee. Sound absurd? The case ended up before the State Supreme Court.

These stories may make us chuckle, but they make me worry. Worry that our nation is in the grips of a litigation explosion - and it's impact is being felt everywhere.

Let me be clear -- I have nothing against lawyers. They are an essential part of our society -- and the majority of legal professionals work with integrity and honor. But lets consider a few facts.

The number of lawyers has almost doubled in the past 20 years. Would you believe the U.S. has more lawyers than West Germany, Canada, England, Wales, Japan, Switzerland and France combined? Well, we don't. We have twice as many lawyers as all those countries. And this year, more people will graduate from law school than from engineering, medicine and computer programs combined.

What do all these lawyers do? Lots of things. But primarily, they sue. In the past 20 years, the number of lawsuits (filed in federal courts?) has doubled. Today, the average case takes a year to be resolved -- and in the past year alone -- the number of cases that were pending for 3 years, increased by 15 percent.

(Think about what that means. You can file a suit, and have time to enroll in law school, study three years, graduate, and represent yourself in court on the day the decision is reached.)

What does this litigation explosion cost our economy? Well, the National Association of Manufacturers has just finished looking at that question. According to a soon to be released

study, American companies spend \$200 billion dollars on direct costs to lawyers. Keep in mind, that doesn't even count the lawyers on their own payrolls, or the money they end up paying in court settlements.

(\$200 billion sounds like a lot of money -- and believe me, it is. American businesses now spend more on insurance, lawyers and legal fees -- than on training our workers for the new economy.)

Now, all these numbers and stories are impressive, but you might ask -- what does it mean to me? If you look around Waukesha and Wisconsin, you'll see examples -- of how the legal crisis has crept into every crevice of our lives.

Ask Jack Perry, Coach of football Spartans -- at East Brookfield High school.// Today, I'm told Jack and his team pay about \$150 bucks for every football helmet -- ten years ago they paid about a third of that. Why the price increase? Because 18 companies in 18 years have stopped selling helmets, because they can't afford the insurance. (Before this is over, we may go back to the days of Jim Thorpe -- when people played football without helmets. We will call that -- "progress.")

Or ask Mike Yaktus of Madison. Mike is a CPA, and he says that so many people now sue accountants at the drop of a number, that this year four out of ten accountants in Wisconsin are going without insurance. The rest? They just pass the extra cost on to you -- their customers.

(WYLER
bill)

does
this
make
sense?

You know the legal crisis has touched everyone -- when it becomes a topic of discussion for one of the noted commentators on the American scene. I'm not talking about Mike Royko or Ted Koppel. I'm talking about Hulk Hogan.

My grandkids tell me that in a movie last year -- Hulk Hogan asks the bad guys if they are going to beat him up. And the bad guys say -- "No, this is the nineties. We are going to sue you!"

What is America coming to? As a nation -- isn't it time that we sue each other less -- and care for each other more?//

We are up against two problems really. The first is the individual legal crisis -- crazy lawsuits against volunteers, teachers, doctors, coaches.

I've put forward a comprehensive reform of our Civil Justice System -- complete with specific proposals to solve disputes outside of the courthouse, to speed the legal process, to control the use of expert witnesses, to control outrageous punitive damages. And I believe we should copy a practice from our friends in Britain -- and make the loser pay the winner's court fees. I have a feeling that would put a stop to people who just use the courts as harassment -- an expensive equivalent of a car horn.

But an equally important problem is what we call -- product liability -- the insurance businesses must pay to protect against damages caused by their products and services.

You might think -- we need that protection, and you're right -- but the system is out of control.

typo (WYLER 6116)

Does our current product liability system protect the consumer's interests. Not all at all. Instead, we pay higher prices for everything from medicine to step ladders -- and companies get discouraged from even coming up with new products -- for fear they'll get sued because the new products are safer than the old ones.

Well, what about people who are injured by a faulty product, and get a court award -- don't they benefit? Some do. But, more than half of all jury awards in product liability cases, ends up in the pockets of lawyers, not regular people.

6116 WYLER
Recommend a qualifier

Well, at least ^[current] product liability laws ^[strict] ^[always] keep us safer, right? Again, the answer is no. In Europe, Volvo offers parents a built-in child safety seat. You can't buy it here in the U.S. The company doesn't want to deal with our laws.

(WYLER 6116)

Our current product liability system is expensive, unsafe, and it only benefits lawyers. But we could still afford this mess -- if we were back the 1950's -- and our workers and companies faced no foreign competition.

Today, we don't have ^{that} the luxury. Liability costs are 15 times greater than that in Japan, and 20 times greater than that in Europe. Our businesses -- especially our small businesses -- are staggering under a weight our competitors don't even carry.

that (WYLER 6116)

The money we spend on legal explosion, is money we don't spend on training, education, research, investment. It means the difference between no jobs for our kids -- and good jobs for our kids.

We have got to do something about this.

We have ideas to speed the legal process -- and settle more cases out of court -- which will help everyone.

And we want to have one national product liability law -- instead of the confusing 50 (ones) we have today. We want to put a cap on punitive damages -- which don't even exist outside the U.S. and Great Britain. We won't to make it tougher for people to sue everyone involved with a product for all the damages. We want to bring some rationality to the system.

The plan is pro-consumer, pro-business, pro-safety, and pro-jobs. The experts agree with us.

So what's the problem? Why do we still face this crisis? In a term, the Gridlock Congress.

I know you are sick of the blame-game in Washington, but keep this in mind. Many members of Congress were once trial lawyers. (Being a radio D.J. is about the only better training you can find.)

Like my opponent, Governor Clinton -- many members of Congress get their campaign funds from trial lawyer organizations. So in many Congressional offices -- the only thing that gathers more attention than a TV camera -- is a lawyer in tasselled loafers.

That's why product liability reform has been blocked. Not just for my three and a half years in office, but for almost a decade.

But this week, we have a chance -- to make our workers more competitive with the Japanese and the Germans.

Product liability reform will be up before the U.S. Senate. It's passed the House -- and we believe we have the votes -- to pass the Senate.

But there's a catch -- something called "cloture." Now cloture sounds like something a doctor would give you to keep a wound shut. But it's not. It's the number of votes it takes -- to stop debate in the U.S. Congress. (As you can imagine, getting Congress to stop talking requires a little effort.)

We're not sure we have the votes for cloture. And here's the irony -- Congress may be able to stop the greatest legal reform in a decade -- by using a legal loophole.

I need your help. I need a labor day present for the American economy, and for the jobs of the future.

I need you to get on the phone and let Congress know, the American people are tired of reading about crazy lawsuits. Tired of high prices. Tired of unsafe products. Most of all, we're tired of loosing jobs to the Europeans and the Japanese.//

What troubles me so about our litigation crisis, is that it is so at odds with the true nature of America.

By suing each other for every insult every incrimination, every injury -- we naively attempt to rid our world of risk. Yes, we should not be reckless, but risk is part of life, part of America.

Think about it. As a nation we bring together people of every color and every creed -- but all of us have the same background in this respect. At some time, as our ancestors looked at their lives and said -- lets take a risk, take a chance on something else.

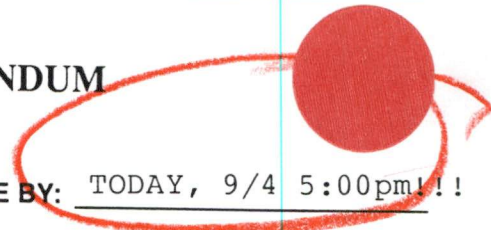
But what would have happened -- if Columbus had sued the sailmakers of the Santa Maria? What if immigrants in 1903, had tried to win pain and suffering damages -- because the floor on Ellis Island had hurt their backs?

We cannot rid our world of risk, nor do we want to. Today, I appeal to the common sense of the American people -- to take a stand for America's values, and give our workers a chance to compete in the world economy.

Thank you for listening. God bless Michigan. God Bless the United States of America.

#

WHITE HOUSE STAFFING MEMORANDUM



DATE: 9/4/92 **92 SEP 4 P4:56** ACTION/CONCURRENCE/COMMENT DUE BY: TODAY, 9/4 5:00pm!!!

PRESIDENTIAL REMARKS: WAUKESHA COUNTY PICNIC
 SUBJECT: WAUKESHA, WISCONSIN - SUNDAY, 9/6

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCBRIDE	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MOORE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	MULLINS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	PETERSMEYER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BATES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PORTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BRADY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PROVOST	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BROMLEY	<input type="checkbox"/>	<input type="checkbox"/>	ROSS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CALIO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SMITH	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DEMAREST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTWILER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ZOELICK	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	KAUFMAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HOLIDAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	MCGROARTY	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HORNER	<input type="checkbox"/>	<input type="checkbox"/>	BOSKIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please forward your comments directly to Dan McGroarty, Rm. 122, x2930, no later than 5:00 p.m., TODAY, FRI. SEPT. 4, with a copy to this office. Thank you.

RESPONSE:

PHILLIP D. BRADY
 Assistant to the President
 and Staff Secretary
 Ext. 2702

Provost/Bunton

22 SEP 4 P2:18

Presidential Remarks
Waukesha County Picnic
Waukesha Wisconsin
Sunday, Sept. 6, 1992

Thank you Governor Tommy Thompson.

Today is Labor Day -- and it is traditional to give a flowery oration -- full of praise of all those who punch a clock for a living.

But I'm not going to do that today. This is an uncertain time for all our American workers. Our economy is undergoing a global transition -- and we are feeling the impact in our workplaces -- in our homes.

You deserve more than talk from your political leaders, you need answers. Answers to the most pressing question before America today -- how can we guarantee that we will remain not just a military superpower -- but an export superpower, and an economic superpower./

I have an agenda for action to win the global economic competition -- the same way we won the Cold War.// We need to revolutionize our schools, fix our health care system, provide incentives for saving and investment, strengthen the American family, and give you relief from a government that spends too much -- and takes too much of your money./

But this afternoon, I want to have a serious discussion -- about another roadblock that must be cleared from the path of America's economic progress.

This roadblock is made not of granite and stone, but paper -- legal memos and briefs and decisions -- piled so high that they block our efforts to create new jobs for you and our kids.

Now, if you're like me, one of the first things you do every morning is sit down and read the newspaper. (When you work in politics, you start with Garfield, then work your way to the other stuff up front).

Like you -- I'll occasionally see a story that makes me stop and say -- "huh?"

Like the woman who was on an Eastern Airline flight, when the pilot came over the intercom, warning passengers to prepare for a possible crash landing. The pilot landed the jet safely, but the woman sued the airlines for millions of dollars anyway. She claimed the mere warning of a crash had caused her -- and I quote -- "psychic agony."

Or maybe some of you remember the story about the basketball referee, who made a controversial call at the buzzer of a Purdue-Iowa basketball game. Purdue won the game, and an Iowa souvenir company was suddenly left with victory T-shirts that weren't in all that high demand. So what did the company do? They sued the referee. Sound absurd? The case ended up before the State Supreme Court.

These stories may make us chuckle, but they make me worry. Worry that our nation is in the grips of a litigation explosion - - and it's impact is being felt everywhere.

Let me be clear -- I have nothing against lawyers. They are an essential part of our society -- and the majority of legal professionals work with integrity and honor. But lets consider a few facts.

The number of lawyers has almost doubled in the past 20 years. Would you believe the U.S. has more lawyers than West Germany, Canada, England, Wales, Japan, Switzerland and France combined? Well, we don't. We have twice as many lawyers as all those countries. And this year, more people will graduate from law school than from engineering, medicine and computer programs combined.

What do all these lawyers do? Lots of things. But primarily, they sue. In the past 20 years, the number of lawsuits (filed in federal courts?) has doubled. Today, the average case takes a year to be resolved -- and in the past year alone -- the number of cases that were pending for 3 years, increased by 15 percent.

(Think about what that means. You can file a suit, and have time to enroll in law school, study three years, graduate, and represent yourself in court on the day the decision is reached.)

What does this litigation explosion cost our economy? Well, the National Association of Manufacturers has just finished looking at that question. According to a soon to be released

study, American companies spend \$200 billion dollars on direct costs to lawyers. Keep in mind, that doesn't even count the lawyers on their own payrolls, or the money they end up paying in court settlements.

FC
(\$200 billion sounds like a lot of money -- and believe me, it is. American businesses now spend more on insurance, lawyers and legal fees -- than on training our workers for the new economy.)

Now, all these numbers and stories are impressive, but you might ask -- what does it mean to me? If you look around Waukesha and Wisconsin, you'll see examples -- of how the legal crisis has crept into every crevice of our lives.

Ask Jack Perry, Coach of football Spartans -- at East Brookfield High school.// Today, I'm told Jack and his team pay about \$150 bucks for every football helmet -- ten years ago they paid about a third of that. Why the price increase? Because 18 companies in 18 years have stopped selling helmets, because they can't afford the insurance. (Before this is over, we may go back to the days of Jim Thorpe -- when people played football without helmets. We will call that -- "progress.")

Or ask Mike Yaktus of Madison. Mike is a CPA, and he says that so many people now sue accountants at the drop of a number, that this year four out of ten accountants in Wisconsin are going without insurance. The rest? They just pass the extra cost on to you -- their customers.

You know the legal crisis has touched everyone -- when it becomes a topic of discussion for one of the noted commentators on the American scene. I'm not talking about Mike Royko or Ted Koppel. I'm talking about Hulk Hogan.

My grandkids tell me that in a movie last year -- Hulk Hogan asks the bad guys if they are going to beat him up. And the bad guys say -- "No, this is the nineties. We are going to sue you!"

What is America coming to? As a nation -- isn't it time that we sue each other less -- and care for each other more?//

We are up against two problems really. The first is the individual legal crisis -- crazy lawsuits against volunteers, teachers, doctors, coaches.

I've put forward a comprehensive reform of our Civil Justice System -- complete with specific proposals to solve disputes outside of the courthouse, to speed the legal process, to control the use of expert witnesses, to control outrageous punitive damages. And I believe we should copy a practice from our friends in Britain -- and make the loser pay the winner's court fees. I have a feeling that would put a stop to people who just use the courts as harassment -- an expensive equivalent of a car horn.

But an equally important problem is what we call -- product liability -- the insurance businesses must pay to protect against damages caused by their products and services.

You might think -- we need that protection, and you're right -- but the system is out of control.

Does our current product liability system protect the consumer's interests. Not all at all. Instead, we pay higher prices for everything from medicine to step ladders -- and companies get discouraged from even coming up with new products -- for fear they'll get sued because the new products are safer than the old ones.

Well, what about people who are injured by a faulty product, and get a court award -- don't they benefit? Some do. But, more than half of all jury awards in product liability cases, ends up in the pockets of lawyers, not regular people.

Well, at least product liability laws keep us safer, right? Again, the answer is no. In Europe, Volvo offers parents a built-in child safety seat. You can't buy it here in the U.S. The company doesn't want to deal with our laws.

Our current product liability system is expensive, unsafe, and it ^{mostly} only benefits lawyers. But we could ^{almost} still afford this mess -- if we were back the 1950's -- and our workers and companies faced no foreign competition.

Today, we don't have the luxury. Liability costs are 15 times greater than that in Japan, and 20 times greater than that in Europe. Our businesses -- especially our small businesses -- are staggering under a weight our competitors don't even carry.

The money we spend on legal ^{overkill} explosion, is money we don't spend on training, education, research, investment. It means the difference between no jobs for our kids -- and good jobs for our kids.

We have got to do something about this.

We have ideas to speed the legal process -- and settle more cases out of court -- which will help everyone.

And we want to have one national product liability law -- instead of the confusing 50 (ones) we have today. We want to put a cap on punitive damages -- which don't even exist outside the U.S. and Great Britain. We ~~won't~~^{want} to make it tougher for people to sue everyone involved with a product for all the damages. We want to bring some rationality to the system.

The plan is pro-consumer, pro-business, pro-safety, and pro-jobs. The experts agree with us.

So what's the problem? Why do we still face this crisis? In a term, the Gridlock Congress.

I know you are sick of the blame-game in Washington, but keep this in mind. Many members of Congress were once trial lawyers. (Being a radio D.J. is about the only better training you can find.)

Like my opponent, Governor Clinton -- many members of Congress get their campaign funds from trial lawyer organizations. So in many Congressional offices -- the only thing that gathers more attention than a TV camera -- is a lawyer in tasselled loafers.

That's why product liability reform has been blocked. Not just for my three and a half years in office, but for almost a decade.

But this week, we have a chance -- to make our workers more competitive with the Japanese and the Germans.

Product liability reform will be up before the U.S. Senate. It's passed the House -- and we believe we have the votes -- to pass the Senate.

But there's a catch -- something called "cloture." Now cloture sounds like something a doctor would give you to keep a wound shut. But it's not. It's the number of votes it takes -- to stop debate in the U.S. Congress. (As you can imagine, getting Congress to stop talking requires a little effort.)

We're not sure we have the votes for cloture. And here's the irony -- Congress may be able to stop the greatest legal reform in a decade -- by using a legal loophole.

I need your help. I need a labor day present for the American economy, and for the jobs of the future.

I need you to get on the phone and let Congress know, the American people are tired of reading about crazy lawsuits. Tired of high prices. Tired of unsafe products. Most of all, we're tired of losing jobs to the Europeans and the Japanese.//

What troubles me so about our litigation crisis, is that it is so at odds with the true nature of America.

By suing each other for every insult, every incrimination, every injury -- we naively attempt to rid our world of risk. Yes, we should not be reckless, but risk is part of life, part of America.

So you won't be surprised if I tell you it takes more votes to get them to stop talking then it does to pass this bill.

Think about it. As a nation we bring together people of every color and every creed -- but all of us have the same background in this respect. At some time, as our ancestors looked at their lives and said -- lets take a risk, take a chance on something else.

But what would have happened -- if Columbus had sued the sailmakers of the Santa Maria? What if immigrants in 1903, had tried to win pain and suffering damages -- because the floor on Ellis Island had hurt their backs?

We cannot rid our world of risk, nor do we want to. Today, I appeal to the common sense of the American people -- to take a stand for America's values, and give our workers a chance to compete in the world economy.

Thank you for listening. God bless Michigan. God Bless the United States of America.

#

Bobby
Charles Opp
Camp
Phone to
JB on
9/4/92

Provost/Bunton

Presidential Remarks
Waukesha County Picnic
Waukesha Wisconsin
Sunday, Sept. 6, 1992

Thank you Governor Tommy Thompson.

(Acknowledgements and local color)

Today is Labor Day -- and it is traditional to give a flowery oration -- replete with praise of all those who punch a clock for a living.

But I'm not going to do this today. This is an uncertain time for all our American workers. Our economy is undergoing a global transition -- and we are feeling the impact in our workplaces -- in our homes.

You deserve more than talk from your political leaders, you need answers. Answers to the most pressing question before America today -- how can we guarantee that we will remain not just a military superpower -- but an export superpower, and an economic superpower./

I have an agenda for action to win the global economic competition -- the same way we won the Cold War.// We need to revolutionize our schools, fix our health care system, provide incentives for saving and investment, strengthen the American family, and give you relief from a government that spends too much -- and takes too much of your money./

But this afternoon, I want to have a serious discussion -- about another roadblock that must be cleared from the path of America's economic progress.

This roadblock is made not of granite and stone, but paper -- legal memos and briefs and decisions -- piled so high that they block our efforts to create new jobs for you and our kids.

Now, if you're like me, one of the first things you do every morning is sit down and read the newspaper. (When you work in politics, you start with Garfield, then work your way to the other stuff up front).

Like you -- I'll occasionally see a story that makes me stop and say -- "huh?"

Like the woman who was on an Eastern Airline flight, when the pilot came over the intercom, warning passengers to prepare for a possible crash landing. The pilot landed the jet safely, but the woman sued the airlines for millions of dollars anyway. She ⁹claimed the mere warning of a crash had caused her -- and I quote -- "psychic agony."

Or maybe some of you remember the story about ^{the} basketball referee, who made a controversial call at the buzzer of a Purdue-Iowa basketball game. Purdue won the game, and an Iowa souvenir company was suddenly left with victory T-shirts that weren't in all that high demand. So what did the company do? They sued the referee. Sound absurd? The case ended up before the State Supreme Court.

These stories may make us chuckle, but they make me worry. Worry that our nation is in the grips of a litigation explosion - and it's impact is being felt everywhere.

Let me be clear -- I have nothing against lawyers. They are an essential part of our society -- and the majority of legal professionals work with integrity and honor. But lets consider a few facts.

The number of lawyers has almost doubled in the past 20 years. Would you believe the U.S. has more lawyers than West Germany, Canada, England, Wales, Japan, Switzerland and France combined? Well, we don't. We have twice as many lawyers as all those countries. And supply is only increasing. This year, more people will graduate from law school than from engineering, medicine, and computer programs combined.



than doctors

lawyers

more and engineering PhDs

even in 1988 we were already

graduating

BC

What do all these lawyers do? Lots of things. But primarily, they sue. In the past 20 years, the number of lawsuits [(filed in federal courts?)] has doubled. Today, the average case takes a year to be resolved -- and in the past year alone -- the number of cases that were pending for 3 years, increased by 15 percent.

chart ? / maybe litigation explosion

B/C chart

(Think about what that means. You can file a suit, and have time to enroll in law school, study three years, graduate, and represent yourself in court on the day the decision is reached.)

What does this litigation explosion cost our economy? Well, the National Association of Manufacturers has just finished looking at that question. According to a soon to be released

BC

consumers and
study, American companies ^{will} spend \$200 billion dollars on ^{BC} ⁴ ^{actual btw 163-201 B} direct ^{in legal services} ~~costs to lawyers~~ ^{in 1992} ^{this year}. Keep in mind, that doesn't even count the ^{she} lawyers on their own payrolls, or the money ^{they} end up paying in ^{Keep in mind that} court settlements. ^{doesn't even}

(\$200 billion sounds like a lot of money -- and believe me, it is. American businesses now spend more on insurance, lawyers and legal fees -- than on training our workers for the new economy.) ^{Count} ^{the lawyers} ^{on company} ^{payrolls} ^{Or the money} ^{they end up} ^{getting paid} ^{as a result of} ^{large damage} ^{awards.}

Now, all these numbers ^{are} and stories are impressive, but you might ask -- what does it mean to me? If you look around Waukesha and Wisconsin, you'll see examples -- of how the legal crisis has crept into every crevice of our lives.

Ask Jack Perry, Coach of football Spartans -- at East Brookfield High school.// Today, I'm told Jack and his team pay about \$150 bucks for every football helmet -- ten years ago they paid about a third of that. Why the price increase? Because 18 companies in 18 years have stopped selling helmets, because they can't afford the insurance. (Before this is over, we may go back to the days of Jim Thorpe -- when people played football without helmets. We will call that -- "progress.")

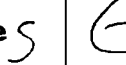
Or ask Mike Yaktus of Madison. Mike is a CPA, and he says that so many people now sue accountants at the drop of a number, that this year four out of ten accountants in Wisconsin are going without insurance. The rest? They just pass the extra cost on to you -- their customers.

You know the legal crisis has touched everyone -- when it becomes a topic of discussion for those noted commentators on the American scene. I'm not talking about Phil Donahue or Ted Koppel. I'm talking about Hulk Hogan.

(My grandkids tell me that in a movie last year -- Hulk Hogan asks the bad guys if they are going to beat him up. And the bad guys say -- "No, this is the nineties. We are going to sue you!"

What is America coming to? As a nation -- isn't it time that we sue each other less -- and care for each other more?//

We are up against -- two problems really. The first is the individual legal crisis -- crazy lawsuits against volunteers, teachers, doctors, coaches.

I've put forward a comprehensive reform of our Civil Justice System -- complete with specific proposals to solve disputes  outside of the courthouse, to speed the legal process, to control the use of expert witnesses, to control outrageous punitive damages. And I believe we should copy a practice from our friends in Britain -- and make the loser pay the winner's court fees. I have a feeling that would put a stop to people who just use the courts as harassment -- an expensive equivalent of a car horn.

But an equally important problem is what we call -- product liability -- the insurance businesses pay to protect against damages caused by their products and services.

You might think -- we need that protection, and you're right -- but the system is out of control.

Does our current product liability system protect the consumer's interests. Not all at all. Instead, we pay higher prices for everything from medicine to step ladders -- and companies get discouraged from even coming up with new products - - for fear they'll get sued because the new products are safer than the old ones.

Well, what about people who are injured by a faulty product, and get a court award -- don't they benefit? Some do. But understand, more than half of all jury awards in product liability cases, end up in the pockets of lawyers, not of regular people.

Well, at least product liability laws keep us safer, right? Again, the answer is no. In Europe, Volvo offers parents a built in child safety seat. You can't buy it here in the U.S. The company doesn't want to deal with our laws. ←

Our current product liability system is expensive, unsafe, and it only benefits lawyers. But we could still afford this mess -- if it were back the 1950's -- and our workers and companies faced no foreign competition.

Today, we don't have the luxury. Liability costs are 15 times greater than that in Japan, and 20 times greater than that in Europe. Our businesses, and especially our small businesses, are staggering under a weight our competitors don't even feel.

The money we spend on legal explosion, is money we don't spend on training, education, research, investment. It means the difference between no jobs for our kids -- and good jobs for our kids.

We have got to do something about this. Again, I have a comprehensive plan for reform.

We have ideas to speed the legal process -- and settle more cases out of court -- which will help everyone.

And we want to have one national product liability laws -- instead of the confusing 50 (ones) we have today. And we want to put a cap on punitive damages -- which don't even exist outside the U.S. and Great Britain. We won't to make it tougher for people to sue everyone involved with a product for all the damages. We want to bring some rationality to the system.

The plan is pro-consumer, pro-business, pro-safety, and pro-jobs. The experts agree with us.

So what's the problem. In a term, the Gridlock Congress.

I know you are sick of the blame-game in Washington, but keep this in mind. Many members of Congress were once trial lawyers. (Being a radio is about the only better training you can find.) ? huh

Like my opponent Governor Clinton -- many members of Congress get their campaign funds from trial lawyer organizations. So in many Congressional offices -- the only thing that gathers more attention than a TV camera -- is a lawyer in tasselled loafers.

That's why product liability reform has been blocked. Not just for my three years, but for almost a decade.

But this week, we have a chance -- to make our workers more competitive with the Japanese and the Germans.

Product liability reform will be up before the U.S. Senate. It's the passed the House -- and we believe we have the votes -- to pass the Senate.

But there's a catch -- and it's something called "cloture." Now cloture sounds like something a doctor would give you to keep a wound shut. But it's not. It's the number of votes it takes -
 → -to stop debate in the U.S. Congress. (As you can imagine, getting Congress to stop talking takes a little effort.)

We're not sure we have the votes for cloture. And here's the irony -- Congress may be able to stop the greatest legal reform in a decade -- by using a legal loophole. Which is like saying that (.)

I need your help. I need a labor day present for the American economy, and for the jobs of the future.

I need you to get on the phone and let Congress know, the American people are tired of reading about crazy lawsuits. Tired of high prices. Tired of less safe products. Tired of loosing jobs to the Europeans and the Japanese.//

What troubles me so about our litigation crisis, is that it is so at odds with the true nature of America.

By ^(Suing) sewing each other for every insult every incrimination, every injury -- we naively attempt to rid our world of risk.

Yes, we should not be reckless, but risk is part of life, part of America.

Think about it. As a nation we bring together people of every color and every creed -- but all of us ^{have} the same background in this respect. At some time, either we or our ancestors looked at their ^{lives} life and said -- lets take a risk, take a chance on something else.

But what would have happened -- if Columbus had sued the sailmakers of the Santa Maria? What if immigrants in 1903, had tried to win pain and suffering damages -- because the floor on Ellis Island had hurt their backs?

We cannot rid our world of risk, nor do we want to. Today, I appeal to the common sense of the American people -- to take a stand for America's values, and give our workers a chance to compete in the world economy.

Thank you for listening. God bless Michigan. God Bless the United States of America.

Wisconsin

#

WHITE HOUSE STAFFING MEMORANDUM

DATE: 9/4/92 ACTION/CONCURRENCE/COMMENT DUE BY: TODAY, 9/4 5:00pm!!!

SUBJECT: PRESIDENTIAL REMARKS: WAUKESHA COUNTY PICNIC
WAUKESHA, WISCONSIN - SUNDAY, 9/6

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCBRIDE	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MOORE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	MULLINS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	PETERSMEYER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BATES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PORTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BRADY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PROVOST	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BROMLEY	<input type="checkbox"/>	<input type="checkbox"/>	ROSS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CALIO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SMITH	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DEMAREST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTWILER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ZOELICK	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	KAUFMAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HOLIDAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	MCGROARTY	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HORNER	<input type="checkbox"/>	<input type="checkbox"/>	BOSKIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please forward your comments directly to Dan McGroarty, Rm. 122, x2930, no later than 5:00 p.m., TODAY, FRI. SEPT. 4, with a copy to this office. Thank you.

RESPONSE:

Please see pages 3, 5 + 9 Thank you PD.

PHILLIP D. BRADY
 Assistant to the President
 and Staff Secretary
 Ext. 2702

Provost/Bunton

2 SEP 4 P2:18

Presidential Remarks
Waukesha County Picnic
Waukesha Wisconsin
Sunday, Sept. 6, 1992

Thank you Governor Tommy Thompson.

Today is Labor Day -- and it is traditional to give a flowery oration -- full of praise of all those who punch a clock for a living.

But I'm not going to do that today. This is an uncertain time for all our American workers. Our economy is undergoing a global transition -- and we are feeling the impact in our workplaces -- in our homes.

You deserve more than talk from your political leaders, you need answers. Answers to the most pressing question before America today -- how can we guarantee that we will remain not just a military superpower -- but an export superpower, and an economic superpower..//

I have an agenda for action to win the global economic competition -- the same way we won the Cold War.// We need to revolutionize our schools, fix our health care system, provide incentives for saving and investment, strengthen the American family, and give you relief from a government that spends too much -- and takes too much of your money..//

But this afternoon, I want to have a serious discussion -- about another roadblock that must be cleared from the path of America's economic progress.

This roadblock is made not of granite and stone, but paper -- legal memos and briefs and decisions -- piled so high that they block our efforts to create new jobs for you and our kids.

Now, if you're like me, one of the first things you do every morning is sit down and read the newspaper. (When you work in politics, you start with Garfield, then work your way to the other stuff up front).

Like you -- I'll occasionally see a story that makes me stop and say -- "huh?"

Like the woman who was on an Eastern Airline flight, when the pilot came over the intercom, warning passengers to prepare for a possible crash landing. The pilot landed the jet safely, but the woman sued the airlines for millions of dollars anyway. She claimed the mere warning of a crash had caused her -- and I quote -- "psychic agony."

Or maybe some of you remember the story about the basketball referee, who made a controversial call at the buzzer of a Purdue-Iowa basketball game. Purdue won the game, and an Iowa souvenir company was suddenly left with victory T-shirts that weren't in all that high demand. So what did the company do? They sued the referee. Sound absurd? The case ended up before the State Supreme Court.

These stories may make us chuckle, but they make me worry. Worry that our nation is in the grips of a litigation explosion - - and it's impact is being felt everywhere.

Let me be clear -- I have nothing against lawyers. They are an essential part of our society -- and the majority of legal professionals work with integrity and honor. But lets consider a few facts.

The number of lawyers has almost doubled in the past 20 years. Would you believe the U.S. has more lawyers than West Germany, Canada, England, Wales, Japan, Switzerland and France combined? Well, we don't. We have twice as many lawyers as all those countries, ^{combined.} And this year, more people will graduate from law school than from engineering, medicine and computer programs combined.

What do all these lawyers do? Lots of things. But primarily, they sue. In the past 20 years, the number of lawsuits (filed in federal courts?) has doubled. Today, the average case takes a year to be resolved -- and in the past year alone -- the number of cases that were pending for 3 years, increased by 15 percent.

(Think about what that means. You can file a suit, and have time to enroll in law school, study three years, graduate, and represent yourself in court on the day the decision is reached.)

What does this litigation explosion cost our economy? Well, the National Association of Manufacturers has just finished looking at that question. According to a soon to be released

study, American companies spend \$200 billion dollars on direct costs to lawyers. Keep in mind, that doesn't even count the lawyers on their own payrolls, or the money they end up paying in court settlements.

(\$200 billion sounds like a lot of money -- and believe me, it is. American businesses now spend more on insurance, lawyers and legal fees -- than on training our workers for the new economy.)

Now, all these numbers and stories are impressive, but you might ask -- what does it mean to me? If you look around Waukesha and Wisconsin, you'll see examples -- of how the legal crisis has crept into every crevice of our lives.

Ask Jack Perry, Coach of football Spartans -- at East Brookfield High school.// Today, I'm told Jack and his team pay about \$150 bucks for every football helmet -- ten years ago they paid about a third of that. Why the price increase? Because 18 companies in 18 years have stopped selling helmets, because they can't afford the insurance. (Before this is over, we may go back to the days of Jim Thorpe -- when people played football without helmets. We will call that -- "progress.")

Or ask Mike Yaktus of Madison. Mike is a CPA, and he says that so many people now sue accountants at the drop of a number, that this year four out of ten accountants in Wisconsin are going without insurance. The rest? They just pass the extra cost on to you -- their customers.

You know the legal crisis has touched everyone -- when it becomes a topic of discussion for one of the noted commentators on the American scene. I'm not talking about Mike Royko or Ted Koppel. I'm talking about Hulk Hogan.

My grandkids tell me that in a movie last year -- Hulk Hogan asks the bad guys if they are going to beat him up. And the bad guys say -- "No, this is the nineties. We are going to sue you!"

What is America coming to? As a nation -- isn't it time that we sue each other less -- and care for each other more?//

We are up against two problems really. The first is the individual legal crisis -- crazy lawsuits against volunteers, teachers, doctors, coaches.

I've put forward a comprehensive reform of our Civil Justice System -- complete with specific proposals to solve disputes outside of the courthouse, to speed the legal process, to control the use of expert witnesses, to control outrageous punitive damages. And I believe we should copy a practice from our friends in Britain -- and make the loser pay the winner's court fees. I have a feeling that would put a stop to people who just use the courts as harassment -- an expensive equivalent of a car horn.

But an equally important problem is what we call -- product liability -- the insurance businesses must pay to protect against damages caused by their products and services.

You might think -- we need that protection, and you're right -- but the system is out of control.

The American Tort Reform Association says that a hidden tax -- they call it a "tort tax" -- has increased the cost of items from step ladders to football helmets by 25 to 50 percent or more.

Add here →

Does our current product liability system protect the consumer's interests. Not ~~all~~ at all. Instead, we pay higher prices for everything from medicine to step ladders -- and companies get discouraged from even coming up with new products - - for fear they'll get sued because the new products are safer than the old ones.

Well, what about people who are injured by a faulty product, and get a court award -- don't they benefit? Some do. But, more than half of all jury awards in product liability cases, ends up in the pockets of lawyers, not regular people.

Well, at least product liability laws keep us safer, right? Again, the answer is no. In Europe, Volvo offers parents a built-in child safety seat. You can't buy it here in the U.S. The company doesn't want to deal with our laws.

Our current product liability system is expensive, unsafe, and it only benefits lawyers. But we could still afford this mess -- if we were back the 1950's -- and our workers and companies faced no foreign competition.

Today, we don't have the luxury. Liability costs are 15 times greater than that in Japan, and 20 times greater than that in Europe. Our businesses -- especially our small businesses -- are staggering under a weight our competitors don't even carry.

The money we spend on legal explosion, is money we don't spend on training, education, research, investment. It means the difference between no jobs for our kids -- and good jobs for our kids.

We have got to do something about this.

We have ideas to speed the legal process -- and settle more cases out of court -- which will help everyone.

And we want to have one national product liability law -- instead of the confusing 50 (ones) we have today. We want to put a cap on punitive damages -- which don't even exist outside the U.S. and Great Britain. We won't to make it tougher for people to sue everyone involved with a product for all the damages. We want to bring some rationality to the system.

The plan is pro-consumer, pro-business, pro-safety, and pro-jobs. The experts agree with us.

So what's the problem? Why do we still face this crisis? In a term, the Gridlock Congress.

I know you are sick of the blame-game in Washington, but keep this in mind. Many members of Congress were once trial lawyers. (Being a radio D.J. is about the only better training you can find.)

Like my opponent, Governor Clinton -- many members of Congress get their campaign funds from trial lawyer organizations. So in many Congressional offices -- the only thing that gathers more attention than a TV camera -- is a lawyer in tasselled loafers.

That's why product liability reform has been blocked. Not just for my three and a half years in office, but for almost a decade.

But this week, we have a chance -- to make our workers more competitive with the Japanese and the Germans.

Product liability reform will be up before the U.S. Senate. It's passed the House -- and we believe we have the votes -- to pass the Senate.

But there's a catch -- something called "cloture." Now cloture sounds like something a doctor would give you to keep a wound shut. But it's not. It's the number of votes it takes -- to stop debate in the U.S. Congress. (As you can imagine, getting Congress to stop talking requires a little effort.)

We're not sure we have the votes for cloture. And here's the irony -- Congress may be able to stop the greatest legal reform in a decade -- by using a legal loophole.

I need your help. I need a labor day present for the American economy, and for the jobs of the future.

I need you to get on the phone and let Congress know, the American people are tired of reading about crazy lawsuits. Tired of high prices. Tired of unsafe products. Most of all, we're tired of loosing jobs to the Europeans and the Japanese.//

What troubles me so about our litigation crisis, is that it is so at odds with the true nature of America.

By suing each other for every insult every incrimination, every injury -- we naively attempt to rid our world of risk. Yes, we should not be reckless, but risk is part of life, part of America.

Think about it. As a nation we bring together people of every color and every creed -- but all of us have the same background in this respect. At some time, as our ancestors looked at their lives and said -- lets take a risk, take a chance on something else.

But what would have happened -- if Columbus had sued the sailmakers of the Santa Maria? What if immigrants in 1903, had tried to win pain and suffering damages -- because the floor on Ellis Island had hurt their backs?

We cannot rid our world of risk, nor do we want to. Today, I appeal to the common sense of the American people -- to take a stand for America's values, and give our workers a chance to compete in the world economy.

Thank you for listening. God bless Michigan. God Bless the United States of America.

#

! .
*Isn't this Waukesha,
Wisconsin?*

WHITE HOUSE STAFFING MEMORANDUM

02 SEP 4 P6:19

DATE: 9/4/92 ACTION/CONCURRENCE/COMMENT DUE BY: TODAY, 9/4 5:00pm !!

PRESIDENTIAL REMARKS: WAUKESHA COUNTY PICNIC
 SUBJECT: WAUKESHA, WISCONSIN - SUNDAY, 9/6

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCBRIDE	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MOORE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	MULLINS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	PETERSMEYER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BATES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PORTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BRADY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PROVOST	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BROMLEY	<input type="checkbox"/>	<input type="checkbox"/>	ROSS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CALIO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SMITH	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DEMAREST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTWILER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ZOELICK	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>KAUFMAN</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HOLIDAY	<input type="checkbox"/>	<input type="checkbox"/>	<u>MCGROARTY</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HORNER	<input type="checkbox"/>	<input type="checkbox"/>	<u>BOSKIN</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please forward your comments directly to Dan McGroarty, Rm. 122, x2930, no later than 5:00 p.m., TODAY, FRI. SEPT. 4, with a copy to this office. Thank you.

RESPONSE:

See Commerce comments. Justice will ~~the~~ comment directly to speechwriting. 2 pages
Paul Korfonta
 PK

PHILLIP D. BRADY
 Assistant to the President
 and Staff Secretary
 Ext. 2702

Provost/Bunton

2 SEP 4 P2:18

Presidential Remarks
Waukesha County Picnic
Waukesha Wisconsin
Sunday, Sept. 6, 1992

Thank you Governor Tommy Thompson.

Today is Labor Day -- and it is traditional to give a flowery oration -- full of praise of all those who punch a clock for a living.

But I'm not going to do that today. This is an uncertain time for all our American workers. Our economy is undergoing a global transition -- and we are feeling the impact in our workplaces -- in our homes.

You deserve more than talk from your political leaders, you need answers. Answers to the most pressing question before America today -- how can we guarantee that we will remain not just a military superpower -- but an export superpower, and an economic superpower.//

I have an agenda for action to win the global economic competition -- the same way we won the Cold War.// We need to revolutionize our schools, fix our health care system, provide incentives for saving and investment, strengthen the American family, and give you relief from a government that spends too much -- and takes too much of your money.//

But this afternoon, I want to have a serious discussion -- about another roadblock that must be cleared from the path of America's economic progress.

This roadblock is made not of granite and stone, but paper -- legal memos and briefs and decisions -- piled so high that they block our efforts to create new jobs for you and our kids.

Now, if you're like me, one of the first things you do every morning is sit down and read the newspaper. (When you work in politics, you start with Garfield, then work your way to the other stuff up front).

Like you -- I'll occasionally see a story that makes me stop and say -- "huh?"

Like the woman who was on an Eastern Airline flight, when the pilot came over the intercom, warning passengers to prepare for a possible crash landing. The pilot landed the jet safely, but the woman sued the airlines for millions of dollars anyway. She claimed the mere warning of a crash had caused her -- and I quote -- "psychic agony."

Or maybe some of you remember the story about the basketball referee, who made a controversial call at the buzzer of a Purdue-Iowa basketball game. Purdue won the game, and an Iowa souvenir company was suddenly left with victory T-shirts that weren't in all that high demand. So what did the company do? They sued the referee. Sound absurd? The case ended up before the State Supreme Court.

These stories may make us chuckle, but they make me worry. Worry that our nation is in the grips of a litigation explosion - - and it's impact is being felt everywhere.

Let me be clear -- I have nothing against lawyers. They are an essential part of our society -- and the majority of legal professionals work with integrity and honor. But lets consider a few facts.

The number of lawyers has almost doubled in the past 20 years. Would you believe the U.S. has more lawyers than West Germany, Canada, England, Wales, Japan, Switzerland and France combined? Well, we don't. We have twice as many lawyers as all those countries. And this year, more people will graduate from law school than from engineering, medicine and computer programs combined.

What do all these lawyers do? Lots of things. But primarily, they sue. In the past 20 years, the number of lawsuits (filed in federal courts?) has doubled. Today, the average case takes a year to be resolved -- and in the past year alone -- the number of cases that were pending for 3 years, increased by 15 percent.

(Think about what that means. You can file a suit, and have time to enroll in law school, study three years, graduate, and represent yourself in court on the day the decision is reached.)

What does this litigation explosion cost our economy? Well, the National Association of Manufacturers has just finished looking at that question. According to a soon to be released

study, American companies spend \$200 billion dollars on direct costs to lawyers. Keep in mind, that doesn't even count the lawyers on their own payrolls, or the money they end up paying in court settlements.

(\$200 billion sounds like a lot of money -- and believe me, it is. American businesses now spend more on insurance, lawyers and legal fees -- than on training our workers for the new economy.)

Now, all these numbers and stories are impressive, but you might ask -- what does it mean to me? If you look around Waukesha and Wisconsin, you'll see examples -- of how the legal crisis has crept into every crevice of our lives.

Ask Jack Perry, Coach of football Spartans -- at East Brookfield High school.// Today, I'm told Jack and his team pay about \$150 bucks for every football helmet -- ten years ago they paid about a third of that. Why the price increase? Because 18 companies in 18 years have stopped selling helmets, because they can't afford the insurance. (Before this is over, we may go back to the days of Jim Thorpe -- when people played football without helmets. We will call that -- "progress.")

Or ask Mike Yaktus of Madison. Mike is a CPA, and he says that so many people now sue accountants at the drop of a number, that this year four out of ten accountants in Wisconsin are going without insurance. The rest? They just pass the extra cost on to you -- their customers.

You know the legal crisis has touched everyone -- when it becomes a topic of discussion for one of the noted commentators on the American scene. I'm not talking about Mike Royko or Ted Koppel. I'm talking about Hulk Hogan.

My grandkids tell me that in a movie last year -- Hulk Hogan asks the bad guys if they are going to beat him up. And the bad guys say -- "No, this is the nineties. We are going to sue you!"

What is America coming to? As a nation -- isn't it time that we sue each other less -- and care for each other more?//

We are up against two problems really. The first is the individual legal crisis -- crazy lawsuits against volunteers, teachers, doctors, coaches.

I've put forward a comprehensive reform of our Civil Justice System -- complete with specific proposals to solve disputes outside of the courthouse, to speed the legal process, to control the use of expert witnesses, to control outrageous punitive damages. And I believe we should copy a practice from our friends in Britain -- and make the loser pay the winner's court fees. I have a feeling that would put a stop to people who just use the courts as harassment -- an expensive equivalent of a car horn.

But an equally important problem is what we call -- product liability -- the insurance businesses must pay to protect against damages caused by their products and services.

You might think -- we need that protection, and you're right -- but the system is out of control.

Does our current product liability system protect the consumer's interests. Not all at all. Instead, we pay higher prices for everything from medicine to step ladders -- and companies get discouraged from even coming up with new products - - for fear they'll get sued because the new products are safer than the old ones.

Well, what about people who are injured by a faulty product, and get a court award -- don't they benefit? Some do. But, more than half of all jury awards in product liability cases, ends up in the pockets of lawyers, not regular people.

Well, at least product liability laws keep us safer, right? Again, the answer is no. In Europe, Volvo offers parents a built-in child safety seat. You can't buy it here in the U.S. The company doesn't want to deal with our laws.

Our current product liability system is expensive, unsafe, and its ^{biggest beneficiaries are lawyers.} ~~only benefits lawyers.~~ But we could still afford this mess -- if we were back the 1950's -- and our workers and companies faced no foreign competition.

Today, we don't have the luxury. Liability costs are 15 times greater than that in Japan, and 20 times greater than that in Europe. Our businesses -- especially our small businesses -- are staggering under a weight our competitors don't even carry.

The money we spend on legal explosion, is money we don't spend on training, education, research, investment. It means the difference between no jobs for our kids -- and good jobs for our kids.

We have got to do something about this.

We have ideas to speed the legal process -- and settle more cases out of court -- which will help everyone.

(sec)
not Delete
part of
Product
Liability
b. 11

And we want to have one national product liability law -- instead of the confusing 50 (ones) we have today. We want to put a cap on punitive damages -- which don't even exist outside the U.S. and Great Britain. We ~~are~~ ^{want} to make it tougher for people to sue everyone involved with a product for all the damages. We want to bring some rationality to the system.

The plan is pro-consumer, pro-business, pro-safety, and pro-jobs. The experts agree with us.

So what's the problem? Why do we still face this crisis? In a term, the Gridlock Congress.

I know you are sick of the blame-game in Washington, but keep this in mind. Many members of Congress were once trial lawyers. (Being a radio D.J. is about the only better training you can find.)

Like my opponent, Governor Clinton -- many members of Congress get their campaign funds from trial lawyer organizations. So in many Congressional offices -- the only thing that gathers more attention than a TV camera -- is a lawyer in tasselled loafers.

That's why product liability reform has been blocked. Not just for my three and a half years in office, but for almost a decade.

But this week, we have a chance -- to make our workers more competitive with the Japanese and the Germans.

(Doc)
No action in House yet.

Product liability reform will be up before the U.S. Senate. It's passed the House -- and we believe we have the votes -- to pass the Senate.

But there's a catch -- something called "cloture." Now cloture sounds like something a doctor would give you to keep a wound shut. But it's not. It's the number of votes it takes -- to stop debate in the U.S. ^{Senate} ~~Congress~~. (As you can imagine, getting Congress to stop talking requires a little effort.)

We're not sure we have the votes for cloture. And here's the irony -- Congress may be able to stop the greatest legal reform in a decade -- by using a legal loophole.

I need your help. I need a labor day present for the American economy, and for the jobs of the future.

I need you to get on the phone and let Congress know, the American people are tired of reading about crazy lawsuits. Tired of high prices. Tired of unsafe products. Most of all, we're tired of losing jobs to the Europeans and the Japanese.//

What troubles me so about our litigation crisis, is that it is so at odds with the true nature of America.

By suing each other for every insult every incrimination, every injury -- we naively attempt to rid our world of risk. Yes, we should not be reckless, but risk is part of life, part of America.

Think about it. As a nation we bring together people of every color and every creed -- but all of us have the same background in this respect. At some time, as our ancestors looked at their lives and said -- lets take a risk, take a chance on something else.

But what would have happened -- if Columbus had sued the sailmakers of the Santa Maria? What if immigrants in 1903, had tried to win pain and suffering damages -- because the floor on Ellis Island had hurt their backs?

We cannot rid our world of risk, nor do we want to. Today, I appeal to the common sense of the American people -- to take a stand for America's values, and give our workers a chance to compete in the world economy.

Thank you for listening. God bless Michigan. God Bless the United States of America.

#

Provost/Bunton

Presidential Remarks
Waukesha County Picnic
Waukesha Wisconsin
Sunday, Sept. 6, 1992

Thank you Governor Tommy Thompson.

THE WHITE HOUSE
WASHINGTON

Russel George ^{92 SEP 4 P5:01}

Nat. Service

p. 6

Not at all.

Not ~~at~~ at all.

- not safer?

p. 9

~~Michigan~~

Wisconsin

l to give a
who punch a clock

is an uncertain
is undergoing a
act in our

ical leaders, you
stion before
ill remain not
erpower, and an

bal economic
.// We need to
system, provide
n the American
hat spends too

But this afternoon, I want to have a serious discussion -- about another roadblock that must be cleared from the path of America's economic progress.

This roadblock is made not of granite and stone, but paper -- legal memos and briefs and decisions -- piled so high that they block our efforts to create new jobs for you and our kids.

Now, if you're like me, one of the first things you do every morning is sit down and read the newspaper. (When you work in politics, you start with Garfield, then work your way to the other stuff up front).

Like you -- I'll occasionally see a story that makes me stop and say -- "huh?"

Like the woman who was on an Eastern Airline flight, when the pilot came over the intercom, warning passengers to prepare for a possible crash landing. The pilot landed the jet safely, but the woman sued the airlines for millions of dollars anyway. She claimed the mere warning of a crash had caused her -- and I quote -- "psychic agony."

Or maybe some of you remember the story about the basketball referee, who made a controversial call at the buzzer of a Purdue-Iowa basketball game. Purdue won the game, and an Iowa souvenir company was suddenly left with victory T-shirts that weren't in all that high demand. So what did the company do? They sued the referee. Sound absurd? The case ended up before the State Supreme Court.

These stories may make us chuckle, but they make me worry. Worry that our nation is in the grips of a litigation explosion - - and it's impact is being felt everywhere.

Let me be clear -- I have nothing against lawyers. They are an essential part of our society -- and the majority of legal professionals work with integrity and honor. But lets consider a few facts.

The number of lawyers has almost doubled in the past 20 years. Would you believe the U.S. has more lawyers than West Germany, Canada, England, Wales, Japan, Switzerland and France combined? Well, we don't. We have twice as many lawyers as all those countries. And this year, more people will graduate from law school than from engineering, medicine and computer programs combined.

What do all these lawyers do? Lots of things. But primarily, they sue. In the past 20 years, the number of lawsuits (filed in federal courts?) has doubled. Today, the average case takes a year to be resolved -- and in the past year alone -- the number of cases that were pending for 3 years, increased by 15 percent.

(Think about what that means. You can file a suit, and have time to enroll in law school, study three years, graduate, and represent yourself in court on the day the decision is reached.)

What does this litigation explosion cost our economy? Well, the National Association of Manufacturers has just finished looking at that question. According to a soon to be released

study, American companies spend \$200 billion dollars on direct costs to lawyers. Keep in mind, that doesn't even count the lawyers on their own payrolls, or the money they end up paying in court settlements.

(\$200 billion sounds like a lot of money -- and believe me, it is. American businesses now spend more on insurance, lawyers and legal fees -- than on training our workers for the new economy.)

Now, all these numbers and stories are impressive, but you might ask -- what does it mean to me? If you look around Waukesha and Wisconsin, you'll see examples -- of how the legal crisis has crept into every crevice of our lives.

Ask Jack Perry, Coach of football Spartans -- at East Brookfield High school.// Today, I'm told Jack and his team pay about \$150 bucks for every football helmet -- ten years ago they paid about a third of that. Why the price increase? Because 18 companies in 18 years have stopped selling helmets, because they can't afford the insurance. (Before this is over, we may go back to the days of Jim Thorpe -- when people played football without helmets. We will call that -- "progress.")

Or ask Mike Yaktus of Madison. Mike is a CPA, and he says that so many people now sue accountants at the drop of a number, that this year four out of ten accountants in Wisconsin are going without insurance. The rest? They just pass the extra cost on to you -- their customers.

You know the legal crisis has touched everyone -- when it becomes a topic of discussion for one of the noted commentators on the American scene. I'm not talking about Mike Royko or Ted Koppel. I'm talking about Hulk Hogan.

My grandkids tell me that in a movie last year -- Hulk Hogan asks the bad guys if they are going to beat him up. And the bad guys say -- "No, this is the nineties. We are going to sue you!"

What is America coming to? As a nation -- isn't it time that we sue each other less -- and care for each other more?//

We are up against two problems really. The first is the individual legal crisis -- crazy lawsuits against volunteers, teachers, doctors, coaches.

I've put forward a comprehensive reform of our Civil Justice System -- complete with specific proposals to solve disputes outside of the courthouse, to speed the legal process, to control the use of expert witnesses, to control outrageous punitive damages. And I believe we should copy a practice from our friends in Britain -- and make the loser pay the winner's court fees. I have a feeling that would put a stop to people who just use the courts as harassment -- an expensive equivalent of a car horn.

But an equally important problem is what we call -- product liability -- the insurance businesses must pay to protect against damages caused by their products and services.

You might think -- we need that protection, and you're right -- but the system is out of control.

Does our current product liability system protect the consumer's interests. Not all at all. Instead, we pay higher prices for everything from medicine to step ladders -- and companies get discouraged from even coming up with new products - - for fear they'll get sued because the new products are safer than the old ones.

Well, what about people who are injured by a faulty product, and get a court award -- don't they benefit? Some do. But, more than half of all jury awards in product liability cases, ends up in the pockets of lawyers, not regular people.

Well, at least product liability laws keep us safer, right? Again, the answer is no. In Europe, Volvo offers parents a built-in child safety seat. You can't buy it here in the U.S. The company doesn't want to deal with our laws.

Our current product liability system is expensive, unsafe, and it only benefits lawyers. But we could still afford this mess -- if we were back the 1950's -- and our workers and companies faced no foreign competition.

Today, we don't have the luxury. Liability costs are 15 times greater than that in Japan, and 20 times greater than that in Europe. Our businesses -- especially our small businesses -- are staggering under a weight our competitors don't even carry.

The money we spend on legal explosion, is money we don't spend on training, education, research, investment. It means the difference between no jobs for our kids -- and good jobs for our kids.

We have got to do something about this.

We have ideas to speed the legal process -- and settle more cases out of court -- which will help everyone.

And we want to have one national product liability law -- instead of the confusing 50 (ones) we have today. We want to put a cap on punitive damages -- which don't even exist outside the U.S. and Great Britain. We won't to make it tougher for people to sue everyone involved with a product for all the damages. We want to bring some rationality to the system.

The plan is pro-consumer, pro-business, pro-safety, and pro-jobs. The experts agree with us.

So what's the problem? Why do we still face this crisis? In a term, the Gridlock Congress.

I know you are sick of the blame-game in Washington, but keep this in mind. Many members of Congress were once trial lawyers. (Being a radio D.J. is about the only better training you can find.)

Like my opponent, Governor Clinton -- many members of Congress get their campaign funds from trial lawyer organizations. So in many Congressional offices -- the only thing that gathers more attention than a TV camera -- is a lawyer in tasselled loafers.

That's why product liability reform has been blocked. Not just for my three and a half years in office, but for almost a decade.

But this week, we have a chance -- to make our workers more competitive with the Japanese and the Germans.

Product liability reform will be up before the U.S. Senate. It's passed the House -- and we believe we have the votes -- to pass the Senate.

But there's a catch -- something called "cloture." Now cloture sounds like something a doctor would give you to keep a wound shut. But it's not. It's the number of votes it takes -- to stop debate in the U.S. Congress. (As you can imagine, getting Congress to stop talking requires a little effort.)

We're not sure we have the votes for cloture. And here's the irony -- Congress may be able to stop the greatest legal reform in a decade -- by using a legal loophole.

I need your help. I need a labor day present for the American economy, and for the jobs of the future.

I need you to get on the phone and let Congress know, the American people are tired of reading about crazy lawsuits. Tired of high prices. Tired of unsafe products. Most of all, we're tired of loosing jobs to the Europeans and the Japanese.//

What troubles me so about our litigation crisis, is that it is so at odds with the true nature of America.

By suing each other for every insult every incrimination, every injury -- we naively attempt to rid our world of risk. Yes, we should not be reckless, but risk is part of life, part of America.

Think about it. As a nation we bring together people of every color and every creed -- but all of us have the same background in this respect. At some time, as our ancestors looked at their lives and said -- lets take a risk, take a chance on something else.

But what would have happened -- if Columbus had sued the sailmakers of the Santa Maria? What if immigrants in 1903, had tried to win pain and suffering damages -- because the floor on Ellis Island had hurt their backs?

We cannot rid our world of risk, nor do we want to. Today, I appeal to the common sense of the American people -- to take a stand for America's values, and give our workers a chance to compete in the world economy.

Thank you for listening. God bless Michigan. God Bless the United States of America.

#

Provost/Bunton

Presidential Remarks
Waukesha County Picnic
Waukesha Wisconsin
Sunday, Sept. 6, 1992

Thank you Governor Tommy Thompson.

Today is Labor Day -- and it is traditional to give a flowery oration -- full of praise of all those who punch a clock for a living.

But I'm not going to do that today. This is an uncertain time for all our American workers. Our economy is undergoing a global transition -- and we are feeling the impact in our workplaces -- in our homes.

You deserve more than talk from your political leaders, you need answers. Answers to the most pressing question before America today -- how can we guarantee that we will remain not just a military superpower -- but an export superpower, and an economic superpower./

I have an agenda for action to win the global economic competition -- the same way we won the Cold War.// We need to revolutionize our schools, fix our health care system, provide incentives for saving and investment, strengthen the American family, and give you relief from a government that spends too much -- and takes too much of your money./

But this afternoon, I want to have a serious discussion -- about another roadblock that must be cleared from the path of America's economic progress.

This roadblock is made not of granite and stone, but paper -- legal memos and briefs and decisions -- piled so high that they block our efforts to create new jobs for you and our kids.

Now, if you're like me, one of the first things you do every morning is sit down and read the newspaper. (When you work in politics, you start with Garfield, then work your way to the other stuff up front).

Like you -- I'll occasionally see a story that makes me stop and say -- "huh?"

Like the woman who was on an Eastern Airline flight, when the pilot came over the intercom, warning passengers to prepare for a possible crash landing. The pilot landed the jet safely, but the woman sued the airlines for millions of dollars anyway. She claimed the mere warning of a crash had caused her -- and I quote -- "psychic agony."

Or maybe some of you remember the story about the basketball referee, who made a controversial call at the buzzer of a Purdue-Iowa basketball game. Purdue won the game, and an Iowa souvenir company was suddenly left with victory T-shirts that weren't in all that high demand. So what did the company do? They sued the referee. Sound absurd? The case ended up before the State Supreme Court.

These stories may make us chuckle, but they ~~make~~ me worry. Worry that our nation is in the grips of a litigation explosion - and it's impact is being felt everywhere.

Let me be clear -- I have nothing against lawyers. They are an essential part of our society -- and the majority of legal professionals work with integrity and honor. But lets consider a few facts.

The number of lawyers has almost doubled in the past 20 years. Would you believe the U.S. has more lawyers than West Germany, Canada, England, Wales, Japan, Switzerland and France combined? Well, we don't. We have twice as many lawyers as all those countries. And this year, more people will graduate from law school than from engineering, medicine and computer programs combined.

What do all these lawyers do? Lots of things. But primarily, they sue. In the past 20 years, the number of lawsuits (filed in federal courts?) has doubled. Today, the average case takes a year to be resolved -- and in the past year alone -- the number of cases that were pending for 3 years, increased by 15 percent.

(Think about what that means. You can file a suit, and have time to enroll in law school, study three years, graduate, and represent yourself in court on the day the decision is reached.)

What does this litigation explosion cost our economy? Well, the National Association of Manufacturers has just finished looking at that question. According to a soon to be released

study, American companies spend \$200 billion dollars on direct costs to lawyers. Keep in mind, that doesn't even count the lawyers on their own payrolls, or the money they end up paying in court settlements.

(\$200 billion sounds like a lot of money -- and believe me, it is. American businesses now spend more on insurance, lawyers and legal fees -- than on training our workers for the new economy.)

Now, all these numbers and stories are impressive, but you might ask -- what does it mean to me? If you look around Waukesha and Wisconsin, you'll see examples -- of how the legal crisis has crept into every crevice of our lives.

Ask Jack Perry, Coach of football Spartans -- at East Brookfield High school.// Today, I'm told Jack and his team pay about \$150 bucks for every football helmet -- ten years ago they paid about a third of that. Why the price increase? Because 18 companies in 18 years have stopped selling helmets, because they can't afford the insurance. (Before this is over, we may go back to the days of Jim Thorpe -- when people played football without helmets. We will call that -- "progress.")

Or ask Mike Yaktus of Madison. Mike is a CPA, and he says that so many people now sue accountants at the drop of a number, that this year four out of ten accountants in Wisconsin are going without insurance. The rest? They just pass the extra cost on to you -- their customers.

You know the legal crisis has touched everyone -- when it becomes a topic of discussion for one of the noted commentators on the American scene. I'm not talking about Mike Royko or Ted Koppel. I'm talking about Hulk Hogan.

My grandkids tell me that in a movie last year -- Hulk Hogan asks the bad guys if they are going to beat him up. And the bad guys say -- "No, this is the nineties. We are going to sue you!"

What is America coming to? As a nation -- isn't it time that we sue each other less -- and care for each other more?//

We are up against two problems really. The first is the individual legal crisis -- crazy lawsuits against volunteers, teachers, doctors, coaches.

I've put forward a comprehensive reform of our Civil Justice System -- complete with specific proposals to solve disputes outside of the courthouse, to speed the legal process, to control the use of expert witnesses, to control outrageous punitive damages. And I believe we should copy a practice from our friends in Britain -- and make the loser pay the winner's court fees. I have a feeling that would put a stop to people who just use the courts as harassment -- an expensive equivalent of a car horn.

But an equally important problem is what we call -- product liability -- the insurance businesses must pay to protect against damages caused by their products and services.

You might think -- we need that protection, and you're right -- but the system is out of control.

Does our current product liability system protect the consumer's interests. Not all at all. Instead, we pay higher prices for everything from medicine to step ladders -- and companies get discouraged from even coming up with new products -- for fear they'll get sued because the new products are safer than the old ones.

Well, what about people who are injured by a faulty product, and get a court award -- don't they benefit? Some do. But, more than half of all jury awards in product liability cases, ends up in the pockets of lawyers, not regular people.

Well, at least product liability laws keep us safer, right? Again, the answer is no. In Europe, Volvo offers parents a built-in child safety seat. You can't buy it here in the U.S. The company doesn't want to deal with our laws.

Our current product liability system is expensive, unsafe, and it only benefits lawyers. But we could still afford this mess -- if we were back the 1950's -- and our workers and companies faced no foreign competition.

Today, we don't have the luxury. Liability costs are 15 times greater than that in Japan, and 20 times greater than that in Europe. Our businesses -- especially our small businesses -- are staggering under a weight our competitors don't even carry.

The money we spend on legal explosion, is money we don't spend on training, education, research, investment. It means the difference between no jobs for our kids -- and good jobs for our kids.

We have got to do something about this.

We have ideas to speed the legal process -- and settle more cases out of court -- which will help everyone.

And we want to have one national product liability law -- instead of the confusing 50 (ones) we have today. We want to put a cap on punitive damages -- which don't even exist outside the U.S. and Great Britain. We won't to make it tougher for people to sue everyone involved with a product for all the damages. We want to bring some rationality to the system.

The plan is pro-consumer, pro-business, pro-safety, and pro-jobs. The experts agree with us.

So what's the problem? Why do we still face this crisis? In a term, the Gridlock Congress.

I know you are sick of the blame-game in Washington, but keep this in mind. Many members of Congress were once trial lawyers. (Being a radio D.J. is about the only better training you can find.)

Like my opponent, Governor Clinton -- many members of Congress get their campaign funds from trial lawyer organizations. So in many Congressional offices -- the only thing that gathers more attention than a TV camera -- is a lawyer in tasselled loafers.

That's why product liability reform has been blocked. Not just for my three and a half years in office, but for almost a decade.

But this week, we have a chance -- to make our workers more competitive with the Japanese and the Germans.

Product liability reform will be up before the U.S. Senate. It's passed the House -- and we believe we have the votes -- to pass the Senate.

But there's a catch -- something called "cloture." Now cloture sounds like something a doctor would give you to keep a wound shut. But it's not. It's the number of votes it takes -- to stop debate in the U.S. Congress. (As you can imagine, getting Congress to stop talking requires a little effort.)

We're not sure we have the votes for cloture. And here's the irony -- Congress may be able to stop the greatest legal reform in a decade -- by using a legal loophole.

I need your help. I need a labor day present for the American economy, and for the jobs of the future.

I need you to get on the phone and let Congress know, the American people are tired of reading about crazy lawsuits. Tired of high prices. Tired of unsafe products. Most of all, we're tired of losing jobs to the Europeans and the Japanese.//

What troubles me so about our litigation crisis, is that it is so at odds with the true nature of America.

By suing each other for every insult every incrimination, every injury -- we naively attempt to rid our world of risk. Yes, we should not be reckless, but risk is part of life, part of America.

Think about it. As a nation we bring together people of every color and every creed -- but all of us have the same background in this respect. At some time, as our ancestors looked at their lives and said -- lets take a risk, take a chance on something else.

But what would have happened -- if Columbus had sued the sailmakers of the Santa Maria? What if immigrants in 1903, had tried to win pain and suffering damages -- because the floor on Ellis Island had hurt their backs?

We cannot rid our world of risk, nor do we want to. Today, I appeal to the common sense of the American people -- to take a stand for America's values, and give our workers a chance to compete in the world economy.

Thank you for listening. God bless Michigan. God Bless the United States of America.

#

6714

Document No. 348655ss

WHITE HOUSE STAFFING MEMORANDUM

DATE: 9/4/92

92 SEP 8 4:26

ACTION/CONCURRENCE/COMMENT DUE BY: TODAY, 9/4 5:00pm!!!

SUBJECT: PRESIDENTIAL REMARKS: WAUKESHA COUNTY PICNIC
WAUKESHA, WISCONSIN - SUNDAY, 9/6

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MCBRIDE	<input type="checkbox"/>	<input checked="" type="checkbox"/>
BAKER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	MOORE	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SCOWCROFT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	MULLINS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DARMAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	PETERSMEYER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BATES	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PORTER	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BRADY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	PROVOST	<input checked="" type="checkbox"/>	<input type="checkbox"/>
BROMLEY	<input type="checkbox"/>	<input type="checkbox"/>	ROSS	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CALIO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SMITH	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DEMAREST	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTWILER	<input type="checkbox"/>	<input checked="" type="checkbox"/>
FITZWATER	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ZOELICK	<input checked="" type="checkbox"/>	<input type="checkbox"/>
GRAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	KAUFMAN	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HOLIDAY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	MCGROARTY	<input type="checkbox"/>	<input checked="" type="checkbox"/>
HORNER	<input type="checkbox"/>	<input type="checkbox"/>	BOSKIN	<input checked="" type="checkbox"/>	<input type="checkbox"/>

REMARKS:

Please forward your comments directly to Dan McGroarty, Rm. 122, x2930, no later than 5:00 p.m., TODAY, FRI. SEPT. 4, with a copy to this office. Thank you.

RESPONSE:

TO: DAN MCGROARTY

September 4, 1992

The NSC staff concurs as amended with the draft presidential remarks.

Brent Scowcroft

cc: Phillip D. Brady

PHILLIP D. BRADY
Assistant to the President
and Staff Secretary
Ext. 2702

Provost/Bunton

2 SEP 4 P2:18

Presidential Remarks
Waukesha County Picnic
Waukesha Wisconsin
Sunday, Sept. 6, 1992

Thank you Governor Tommy Thompson.

Today is Labor Day -- and it is traditional to give a flowery oration -- full of praise of all those who punch a clock for a living.

But I'm not going to do that today. This is an uncertain time for all our American workers. Our economy is undergoing a global transition -- and we are feeling the impact in our workplaces -- in our homes.

You deserve more than talk from your political leaders, you need answers. Answers to the most pressing question before America today -- how can we guarantee that we will remain not just a military superpower -- but an export superpower, and an economic superpower./

I have an agenda for action to win the global economic competition -- the same way we won the Cold War.// We need to revolutionize our schools, fix our health care system, provide incentives for saving and investment, strengthen the American family, and give you relief from a government that spends too much -- and takes too much of your money./

But this afternoon, I want to have a serious discussion -- about another roadblock that must be cleared from the path of America's economic progress.

This roadblock is made not of granite and stone, but paper -- legal memos and briefs and decisions -- piled so high that they block our efforts to create new jobs for you and our kids.

Now, if you're like me, one of the first things you do every morning is sit down and read the newspaper. (When you work in politics, you start with Garfield, then work your way to the other stuff up front).

Like you -- I'll occasionally see a story that makes me stop and say -- "huh?"

Like the woman who was on an Eastern Airline flight, when the pilot came over the intercom, warning passengers to prepare for a possible crash landing. The pilot landed the jet safely, but the woman sued the airlines for millions of dollars anyway. She claimed the mere warning of a crash had caused her -- and I quote -- "psychic agony."

Or maybe some of you remember the story about the basketball referee, who made a controversial call at the buzzer of a Purdue-Iowa basketball game. Purdue won the game, and an Iowa souvenir company was suddenly left with victory T-shirts that weren't in all that high demand. So what did the company do? They sued the referee. Sound absurd? The case ended up before the State Supreme Court.

These stories may make us chuckle, but they make me worry. Worry that our nation is in the grips of a litigation explosion - and it's impact is being felt everywhere.

Let me be clear -- I have nothing against lawyers. They are an essential part of our society -- and the majority of legal professionals work with integrity and honor. But lets consider a few facts.

The number of lawyers has almost doubled in the past 20 years. Would you believe the U.S. has more lawyers than West Germany, Canada, England, Wales, Japan, Switzerland and France combined? Well, we don't. We have twice as many lawyers as all those countries. And this year, more people will graduate from law school than from engineering, medicine and computer programs combined.

What do all these lawyers do? Lots of things. But primarily, they sue. In the past 20 years, the number of lawsuits (filed in federal courts?) has doubled. Today, the average case takes a year to be resolved -- and in the past year alone -- the number of cases that were pending for 3 years, increased by 15 percent.

(Think about what that means. You can file a suit, and have time to enroll in law school, study three years, graduate, and represent yourself in court on the day the decision is reached.)

What does this litigation explosion cost our economy? Well, the National Association of Manufacturers has just finished looking at that question. According to a soon to be released

study, American companies spend \$200 billion dollars on direct costs to lawyers. Keep in mind, that doesn't even count the lawyers on their own payrolls, or the money they end up paying in court settlements.

(\$200 billion sounds like a lot of money -- and believe me, it is. American businesses now spend more on insurance, lawyers and legal fees -- than on training our workers for the new economy.)

Now, all these numbers and stories are impressive, but you might ask -- what does it mean to me? If you look around Waukesha and Wisconsin, you'll see examples -- of how the legal crisis has crept into every crevice of our lives.

Ask Jack Perry, Coach of football Spartans -- at East Brookfield High school.// Today, I'm told Jack and his team pay about \$150 bucks for every football helmet -- ten years ago they paid about a third of that. Why the price increase? Because 18 companies in 18 years have stopped selling helmets, because they can't afford the insurance. (Before this is over, we may go back to the days of Jim Thorpe -- when people played football without helmets. We will call that -- "progress.")

Or ask Mike Yaktus of Madison. Mike is a CPA, and he says that so many people now sue accountants at the drop of a number, that this year four out of ten accountants in Wisconsin are going without insurance. The rest? They just pass the extra cost on to you -- their customers.

You know the legal crisis has touched everyone -- when it becomes a topic of discussion for one of the noted commentators on the American scene. I'm not talking about Mike Royko or Ted Koppel. I'm talking about Hulk Hogan.

My grandkids tell me that in a movie last year -- Hulk Hogan asks the bad guys if they are going to beat him up. And the bad guys say -- "No, this is the nineties. We are going to sue you!"

What is America coming to? As a nation -- isn't it time that we sue each other less -- and care for each other more?//

We are up against two problems really. The first is the individual legal crisis -- crazy lawsuits against volunteers, teachers, doctors, coaches.

I've put forward a comprehensive reform of our Civil Justice System -- complete with specific proposals to solve disputes outside of the courthouse, to speed the legal process, to control the use of expert witnesses, to control outrageous punitive damages. And I believe we should copy a practice from our friends in Britain -- and make the loser pay the winner's court fees. I have a feeling that would put a stop to people who just use the courts as harassment -- an expensive equivalent of a car horn.

But an equally important problem is what we call -- product liability -- the insurance businesses must pay to protect against damages caused by their products and services.

You might think -- we need that protection, and you're right -- but the system is out of control.

Does our current product liability system protect the consumer's interests. Not all at all. Instead, we pay higher prices for everything from medicine to step ladders -- and companies get discouraged from even coming up with new products -- for fear they'll get sued because the new products are safer than the old ones.

Well, what about people who are injured by a faulty product, and get a court award -- don't they benefit? Some do. But, more than half of all jury awards in product liability cases, ends up in the pockets of lawyers, not regular people.

Well, at least product liability laws keep us safer, right? Again, the answer is no. In Europe, Volvo offers parents a built-in child safety seat. You can't buy it here in the U.S. The company doesn't want to deal with our laws.

Our current product liability system is expensive, unsafe, and it only benefits lawyers. But we could still afford this mess -- if we were back the 1950's -- and our workers and companies faced no foreign competition.

Today, we don't have the luxury. Liability costs are 15 times greater than ^{those} ~~that~~ in Japan, and 20 times greater than that in Europe. Our businesses -- especially our small businesses -- are staggering under a weight our competitors don't even carry.

The money we spend on legal explosion, is money we don't spend on training, education, research, investment. It means the difference between no jobs for our kids -- and good jobs for our kids.

We have got to do something about this.

We have ideas to speed the legal process -- and settle more cases out of court -- which will help everyone.

And we want to have one national product liability law -- instead of the confusing 50 (ones) we have today. We want to put a cap on punitive damages -- which don't even exist outside the U.S. and Great Britain. We won't to make it tougher for people to sue everyone involved with a product for all the damages. We want to bring some rationality to the system.

The plan is pro-consumer, pro-business, pro-safety, and pro-jobs. The experts agree with us.

So what's the problem? Why do we still face this crisis?
? In a term, the Gridlock Congress.

I know you are sick of the blame-game in Washington, but keep this in mind. Many members of Congress were once trial lawyers. (Being a radio D.J. is about the only better training you can find.)

Like my opponent, Governor Clinton -- many members of Congress get their campaign funds from trial lawyer organizations. So in many Congressional offices -- the only thing that gathers more attention than a TV camera -- is a lawyer in tasselled loafers.

That's why product liability reform has been blocked. Not just for my three and a half years in office, but for almost a decade.

But this week, we have a chance -- to make our workers more competitive with the Japanese and the Germans.

Product liability reform will be up before the U.S. Senate. It's passed the House -- and we believe we have the votes -- to pass the Senate.

But there's a catch -- something called "cloture." Now cloture sounds like something a doctor would give you to keep a wound shut. But it's not. It's the number of votes it takes -- to stop debate in the U.S. Congress. (As you can imagine, getting Congress to stop talking requires a little effort.)

We're not sure we have the votes for cloture. And here's the irony -- Congress may be able to stop the greatest legal reform in a decade -- by using a legal loophole.

I need your help. I need a labor day present for the American economy, and for the jobs of the future.

I need you to get on the phone and let Congress know, the American people are tired of reading about crazy lawsuits. Tired of high prices. Tired of unsafe products. Most of all, we're tired of loosing jobs to the Europeans and the Japanese.//

What troubles me so about our litigation crisis, is that it is so at odds with the true nature of America.

By suing each other for every insult, every incrimination, every injury -- we naively attempt to rid our world of risk. Yes, we should not be reckless, but risk is part of life, part of America.

Think about it. As a nation we bring together people of every color and every creed -- but all of us have the same background in this respect. At some time, as our ancestors looked at their lives and said -- lets take a risk, take a chance on something else.

But what would have happened -- if Columbus had sued the sailmakers of the Santa Maria? What if immigrants in 1903, had tried to win pain and suffering damages -- because the floor on Ellis Island had hurt their backs?

We cannot rid our world of risk, nor do we want to. Today, I appeal to the common sense of the American people -- to take a stand for America's values, and give our workers a chance to compete in the world economy.

Thank you for listening. God bless Michigan. God Bless the United States of America.

#