

## RALPH NADER RADIO HOUR EP 285 TRANSCRIPT

**Steve Skrovan:** Welcome to the *Ralph Nader Radio Hour*. My name is Steve Skrovan along with my co-host David Feldman. Hello, David.

**David Feldman:** Good morning. It's my favorite time of the year.

**Steve Skrovan:** What's favorite about this?

**David Feldman:** Oh, it's just hot and sticky and people are always friendly and nice in August.

**Steve Skrovan:** People are friendly and nice when it's hot and sticky?

**David Feldman:** Yes.

**Steve Skrovan:** That's not my experience, but okay. You go with that. And of course we have the man of the hour, Ralph Nader. Hello, Ralph.

**Ralph Nader:** Hello, everybody.

**Steve Skrovan:** On the show today, we welcome Matthew Myers, who is the president of the Campaign for Tobacco-Free Kids. Now, even though we've had warning labels on cigarettes since 1965, there is still close to half a million tobacco-related deaths in the United States per year. Mr. Myers has been a leader in the fight to reduce tobacco use and its devastating consequences here and throughout the world and obviously, there's still a lot of work to be done, especially with the emergence of e-cigarettes. We're going to be talking about a thing called "Juuling". J-u-u-l, Juul—that's a company name that makes the most popular e-cigarette. They've cornered 72% of the market, apparently many of them young people. So we're going to break that all down with Matthew Myers.

Now, in the second half to show, we're going to give Ralph the rest of the day off in a sense. We're going to play for you an excerpt from the documentary I co-directed with my partner, Henriette Mantel called *An Unreasonable Man*. The excerpt we're gonna play is Ralph dissecting the 2004 election in which he was running on an independent ticket. We're going to play this for you because I believe there are some lessons to be learned from that race that echo this upcoming presidential election. Ralph is gonna dissect the voting for "Anybody but blank" rationale. Back then it was "Anybody but Bush". Today of course, it's "Anybody but Trump". So, we're going to play the excerpt and then David and I, along with our executive producer, Alan Minsky, are going to discuss the parallels to today.

Between those two segments, we will as always, head over to the National Press Building in Washington, DC to get the *Corporate Crime Report* from our trusty corporate crime reporter, Russell Mohkiber. But first, around the world, over 7 million people die every year due to tobacco. Here to help us put a face on that number is our next guest.

**David Feldman:** Matthew Myers is President and co-founder of the Campaign for Tobacco-Free Kids. Under Mr. Myers' leadership, the Campaign has been a leader in the effort to raise tobacco taxes, expand protection against secondhand smoke and fund effective comprehensive tobacco control programs at the state level. The American Cancer Society has honored Mr. Myers with its highest award, The Medal of Honor, for his work in the fight against cancer and childhood tobacco addiction. Welcome to the *Ralph Nader Radio Hour*, Matthew Myers.

**Matthew Myers:** Thank you for having me.

**Ralph Nader:** You're welcome indeed, Matt. You have been for years a major advocate to reduce tobacco use, especially seducing young children into a lifetime of tobacco use. I remember when I started campaigning in the 1960s and '70s to stop smoking on airlines, buses and railroads, there were about 45% of adults in this country [that] smoked at least one pack or more cigarettes and the Surgeon General Report came out, the first one of many in 1964, connecting smoking to cancer, heart disease and other ailments. And now, to show the progress, on your website, [tobaccofreekids.org](http://tobaccofreekids.org), you say 14% not 45, 14% of adults now smoke. That's 34.3 million adults in the United States and 8.1% of high schools students smoke. So, that's real progress by you and many others who worked in this area. Not that many others actually, but the progress is challenged by something else on your website, which you say that there have been 480,000 deaths last year from cigarette smoking or exposure to secondhand smoke. How come that figure, which has been around for a long time, the annual death toll, has not declined significantly since the number of smokers have been declining for the last 40 years?

**Matthew Myers:** It's a great question. We have made extraordinary progress in the reduction of both adults and youth smoking. When the Campaign for Tobacco-Free Kids started just 23 years ago, over 36% of all high school kids smoked, and today, that number is down, as you said, in the single digits. On the other hand, smoking remains the number one preventable cause of premature death in the United States. As population has grown, we have seen the decrease in the actual number of smokers at a much slower rate than the decrease in the percentage of smokers. In addition, as a result of scientific research, we now know that smoking is far more deadly than we even thought, 20/25 years ago. More than one out of two long-term smokers will die from tobacco use. 16 million Americans alive today are suffering from or tobacco-related disease. So, as much progress as we've made, we need to understand how much more there is to do. The other important point, Ralph, is that tobacco use is no longer an equal opportunity killer. Tobacco use is directly related to poverty, lower levels of education and certain demographic populations. So as much progress as we've made amongst some people, we need to target very much on reducing tobacco use among our low-income populations and the populations that tobacco industry continues to target.

**Ralph Nader:** Well, before we talk about the new menace coming up, which you've been deeply involved in the challenging, e-cigarettes, the other question I have is the State Attorney Generals, with the help of plaintiff lawyers got a \$250 billion, with a B, settlement with the tobacco companies, for example, Philip Morris, to pay for the healthcare costs that they had to spend over the years. And a lot of that money was supposed to go to educate the public smoking constituency about the dangers of smoking, especially youngsters. What happened to that money?

**Matthew Myers:** You know, the tobacco settlement, from the cases brought by all the State Attorney Generals, has made a difference, but nowhere near the difference it could have made. It has resulted in a curtailment of tobacco-industry marketing that has been very important. On the other hand, by and large, the states have failed to live up to their promise, both legal and moral, to use the majority of those funds to actually fight tobacco use. Our data shows that ~~em~~ less than 2% of the money goes for fighting tobacco use, and in some states, virtually none of it goes for fighting tobacco use. You know, if the attorney generals were involved in commercial activity, the lawsuits could be called a bait and switch, but we shouldn't underestimate that the lawsuits had value because they served to educate the public about the real harms and the wrongdoing of the tobacco industry. They resulted in meaningful change in tobacco-industry marketing, but there's some important lessons here, for example, the opioid cases that are pending. Unless those cases nailed down and require that those funds be used to actually treat opioid victims and deal with the problem, you can't trust state legislators to do it.

**Ralph Nader:** Well, let's get to e-tobacco, e-cigarettes. The biggest company in the field is Juul, J-u-u-l, and almost every day they have full page ads saying all look things are doing to discourage youngsters from using e-tobacco or e-cigarette devices and from buying them. And I think your coalition got fed up with this and the Campaign for Tobacco-Free Kids, which you run, and the American Heart Association, the American Lung Association, the Cancer Action Network [American Cancer Society] and the American Academy of Family Physicians, the American Academy of Pediatrics and others have started putting full-page ads in *The New York Times* and elsewhere. And I want to read the brief message quote, "Each Juul pod delivers the same amount of nicotine as 20 cigarettes. Teen e-cigarette use is an epidemic in the United States. Don't let sweet-talking ads from Juul fool you—Juul's flavored e-cigarettes deliver massive doses of addictive nicotine. It's no wonder Marlboro-maker Altria, formerly Phillip Morris, spent \$12.8 billion buying ~~into~~ a third of Juul. And their mint, menthol, fruit, crème and mango flavors have fueled what the FDA, Food and Drug Administration, warns is a 'youth e-cigarette epidemic.' It's time to act: Stop flavored e-cigarettes and give our kids, parents and teachers a fighting chance." That's the message and the device that Juul uses is overwhelmingly manufactured in China, and for those who aren't familiar with what's in an e-cigarette device, it has a liquid solution that contains nicotine, propylene glycol, glycerin or some other solvent and other additives. The original argument for e-cigarettes was it would wean people off from smoking real cigarettes, real tobacco. What is the big danger here, Matt Myers?

**Matthew Myers:** The danger is several fold. First, we know that the way Juul has been marketed and the way it is designed, it has fueled an epidemic among our youth. Over three and a half million kids last year were using e-cigarettes. 27% of them we're using them almost every single day. It threatens to reverse all of the progress we've made. What's particularly disturbing is that the manner in which the product works, they have succeeded in making it cool among a generation of kids who otherwise wouldn't have smoked. In other words, what they're not doing the switching kids who would've smoked cigarettes over to Juul. They're attracting a whole cadre of young people to using nicotine and becoming addicted that wouldn't have otherwise used any tobacco product. It's particularly insidious because Juul delivers nicotine more effectively and less harshly than any product that's really ever been made. So, what we're seeing is the young people are rapidly becoming addicted, becoming intensely addicted, and that both increases the number of kids who will go on to smoke cigarettes and ~~it~~ poses its own problems to the developing brain.

**Ralph Nader:** Well. Is this regulated at all? Like tobacco is starting to be regulated by the Food and Drug Administration.

**Matthew Myers:** One of the most frustrating parts of this is that the Food and Drug Administration has full and complete authority over Juul and other e-cigarettes. What has happened has happened in large part because the FDA has not exercised that authority. It has not required companies like Juul to come before them to demonstrate that it's appropriate for the protection of public health to sell their products and hasn't regulated their marketing or their nicotine content.

**Ralph Nader:** Even though they put out warnings.

**Matthew Myers:** Even though they put out warnings. Well, what the surveys all show is that a large percentage of kids who use Juul don't realize it contains nicotine, don't realize that it's addictive and don't realize that it poses a danger to health. This is a case where the FDA has failed to use the authority it was given to educate the public and to prevent an epidemic from happening.

**Ralph Nader:** Have you petitioned the FDA formally to make them do what they should do?

**Matthew Myers:** We have petitioned the FDA repeatedly and recently, we sued the FDA to force them to do so and a federal court in Maryland has recently issued an order requiring the FDA to speed up the process of regulating these products.

**Ralph Nader:** Matt Myers, why don't you describe—because a lot of people really don't know what e-cigarettes are all about or vaping, the device; why don't you describe how seductive this device manufactured in China is, and how it's actually delivered into the body of the users?

**Matthew Myers:** What's intriguing about Juul is that it is one of the cleverest products that I've ever seen. Juul actually looks like a flash drive, so that when a kid uses it in the school, parents, teachers, principals often don't recognize it. And what you do is you put a liquid pod on the flash drive, which you actually heat by plugging it into a USB port of your computer; heat it up and the e-liquid, which is liquid with very large amounts of nicotine, is heated and then you inhale it. Because it doesn't have the harshness of tobacco smoke, kids are able to inhale it more deeply and more frequently into their lungs. What that means is that they're getting higher levels of nicotine than they would from a cigarette. In many cases, they're smoking them more frequently and they're getting a level of addiction that is at least as intense, if not in many cases, more intense than they would get from a cigarette. The repercussions of that are really dramatic. First, because of ~~the~~ how it's designed, we're seeing kids use it in school, whereas they would never be allowed to use a cigarette in school. Second, they're becoming so intensely addicted that the data begins to show that a kid who tries and uses an e-cigarette is three to four times more likely to go on to become a regular cigarette smoker. And third, what many people don't realize, is that kids in the developing brain, are particularly susceptible to addiction and addiction that begins as a youth is more intense and far more likely to lead to a lifelong addiction than a later-acquired addiction. So these products have the real potential to reverse the literally decades of progress we've made in getting kids to see smoking and tobacco use as uncool and something they have no interest in doing.

**Ralph Nader:** You know I've always thought the tobacco industry should be prosecuted as corporate criminals. They knew what they were doing. They knew what the deaths were. They would pass out free cigarettes to 12-year olds or 11-year olds coming out of school to hook 'em ~~them~~ for a lifetime of addiction because their study showed the younger that they start smoking, the more addicted they're going to become over the long term. And finally, the tort law caught up with the tobacco companies. Are there tort lawsuits now being filed against Juul and other manufacturers? By the way, the tobacco industry is buying big time into this industry. It's already over \$6 billion a year sales. Are there any tort law suits underway?

**Matthew Myers:** There are a number of cases that have been filed in the last year to year and a half as the data about youth usage has exploded and as the evidence has become clear that these products are being marketed in such a way that kids don't appreciate the risk of addiction or that these products are not harmless. So yes, we have begun to see a series of cases filed around the country and recently the Attorney General of North Carolina [Josh Stein] has filed a massive consumer protection case against Juul claiming that its marketing was false and deceptive, leading to and fueling the youth e-cigarette epidemic.

**Ralph Nader:** The profits must be fantastic. What do these devices cost and what does the liquid pod cost and are they taxed heavily like tobacco products are?

**Matthew Myers:** Well, the profits are in fact extraordinary. As a company, you know, the owners of this company have become billionaires in just four years. So what we've seen is that just like with Phillip Morris and RJ Reynolds, the owners of these companies have become wealthy even as they cause a massive public health crisis around the country. The Juul itself is more expensive than buying a cigarette, but once you've bought it, then all you have to do is buy the pods. One Juul pod is the equivalent of a full pack of cigarettes. So when you price that out, it's actual daily use has dropped probably to the point that it may be even cheaper than smoking cigarettes.

**Ralph Nader:** And what does the device cost a youngster?

**Matthew Myers:** Well, the price is coming down. You know, when they initially were introduced, they were close to \$100; then they were under \$50 and now they continue to fall a pretty rapidly. The technology is not that complex. As you said, a good many of these devices are actually...the components are made in China. We don't know where the nicotine comes from as well, so it's a very high-profit industry. In addition, what we're finding is kids, once they become hooked, are spending a disproportionate amount of their disposable income--not because they want to, but because they can't stop.

**Ralph Nader:** I don't understand why the Food and Drug Administration doesn't regulate the liquid, which is full of all kinds of ingredients and they have, as you say, they have the congressional authority to do that.

**Matthew Myers:** They have been very slow to exercise their authority. They have been much too timid in exercising their authority and as I said, to date, they haven't reviewed one of these products; they haven't curtailed any of the marketing for these products, and they haven't put any limits on nicotine in these products. You know, and in Europe, European Union, they put a cap

on the amount of nicotine that's allowed in an e-cigarette, far lower than the products that are being sold in the United States.

**Ralph Nader:** But in the United States, they're not heavily taxed.

**Matthew Myers:** In the United States, in many cases; they're not taxed at all. So far there is no federal tax on e-cigarettes and only a small handful of states have adopted taxes on e-cigarettes.

**Ralph Nader:** In areas that are smoke-free, which is almost every place now, you can engage in e-cigarette inhalation?

**Matthew Myers:** It varies from state to state. Our organization, along with a number of other public health organizations we work with, have been working to get cities and states to adopt rules to ban the use of e-cigarettes in any indoor place where cigarette smoking is not allowed. We are making progress, but there are many states still, where you are allowed to smoke e-cigarettes indoors.

**Ralph Nader:** Well, we're talking with Matt Myers, longtime director of Tobacco-Free Kids. The website is [tobaccofreekids.org](http://tobaccofreekids.org)--very, very valuable website. Are parents organizing, you know, to protect their kids from this rising epidemic as it has been called?

**Matthew Myers:** Parents are beginning to organize. Parents are outraged. Parents who thought they had done everything right to educate their kids about not smoking are discovering that their kids are using Juul. One prominent organization called PAVE (Parents Against Vaping Electronic Cigarettes) has taken a leadership role though we're seeing other parent organizations begin to be organized around the country. We're working and trying to support them wherever we can.

**Ralph Nader:** Does any of this e-cigarette use reduce tobacco use, which is the way Juul promotes its products? They say, well, if we can get them with e-cigarettes, they can stop smoking real tobacco.

**Matthew Myers:** That's the promise and it's another area where the Food and Drug Administration has fallen short. The Food and Drug Administration has the authority to require them to provide sound science before they make those claims so that the public would be informed as to what the evidence actually is. To date, no scientific review has determined that these products have been shown actually to be safe and effective in helping smokers quit. This is one of those areas where the failure of FDA to act actually hurts smokers because smokers who want to quit deserve to be told which products are effective and which ones are not. The fact that not a single e-cigarette has even attempted to be approved, either as a tobacco cessation product or as a less harmful cigarette product means that smokers have no way of knowing which, if any of these products, actually help.

**Ralph Nader:** Well, as you know so well, the power of the tobacco industry in Congress has diminished very significantly over the years, due in no small part to Tobacco-Free Kids and other organizations. Why aren't more members of Congress up in arms? Are they buying into that this will reduce tobacco use of people who are cigarette smokers, pick up e-cigarettes, which are always publicized in full-page ads by Juul all over the country?

**Matthew Myers:** Well, you know, like too many issues, this has become a partisan issue in Congress. A significant number of Democrats have spoken up loudly and have ~~has~~ called on FDA to assert its jurisdiction aggressively in order to protect the public health. But so far, we have seen too little action out of Congress and I'm not sure when preventive health became a partisan political issue, but despite all of our efforts to make it nonpartisan and to ensure that everybody who cares about kids calls on FDA to act, so far, those voices had been muted.

**Ralph Nader:** Well, in all the years you've worked in this, Matt, did you ever dream that twenty/fifteen years ago that the addiction industries--the nicotine-addiction industry would find the back doorway--so devious, so evil--to hook youngsters and get them ready for a lifetime of nicotine addiction and then respiratory ailments, cancer. Did you ever foresee this?

**Matthew Myers:** Well, I can't say that I foresaw this particular product, but the history of the tobacco industry is every time we make progress, they devise a new product, which they claim is the solution. History has shown that their solutions never work and are really just designed to keep more people using their products. So this is a more clever product, a more devious product, and the first product they've developed in decades that appeals to kids, but it is part of a long history of an industry that has made its living selling harmful, addictive products to young people and doesn't intend to stop until ~~the~~ government makes them stop.

**Ralph Nader:** And it's so deliberate; like they have all kinds of flavors--chocolate flavor, menthol flavor.

**Matthew Myers:** You know, that's part of what's both insidious and hard to understand why FDA hasn't stepped in to stop this. They have marketed these products with flavors that clearly appeal to kids. You know, Juul itself uses mango, crème brûlée, fruit medley. Others use even more outrageous flavors than those. We have been calling on FDA for years to ban the use of flavored tobacco products because we know those flavors appeal to kids.

**Ralph Nader:** Well, you know, the tort lawyers are going to look for damage to health and it's probably a little too soon for controlled scientific study showing the extent of the damage in terms of cancer and respiratory ailments and other ailments. But are the studies underway at least?

**Matthew Myers:** Well, we're beginning to see studies. Unfortunately, with too many tobacco-related diseases, they take years to discover and years to appear, but what were already ~~seen~~ seeing is a number of young people suffering from respiratory problems, more important/not even more importantly, but we're also seeing a larger number of young people beginning to suffer from the problems of addiction itself. It is really a horrible thing for a parent to watch their teenager go through nicotine withdrawal and yet we're hearing stories about that all over the country.

**Ralph Nader:** What are the roles of thousands of these vaping stores that are on corners in ~~and~~ main-street America?

**Matthew Myers:** Well, you know, e-cigarettes are sold in the vaping stores, but they're also being sold in convenience stores and gas stations around the country. The majority of kids who buy them tend to buy them either online or in convenience [stores] and gas stations. It's critically

important that we ban the sale of flavored products in those locations and frankly, these products shouldn't be available in those locations.

**Ralph Nader:** And you find that they're buying these and then handing them off to their friends because they are expensive to use?

**Matthew Myers:** We find that in many cases, older kids buy them and hand them off to their friends. In other cases, once one kid has a Juul, then other kids buy the pods and they simply share the Juul itself so that all you have to do is have a pod, if you can find somebody who will lend you a Juul for a half an hour.

**Ralph Nader:** And how often do they use it a day? Is there any data on that?

**Matthew Myers:** The data is very slight still, but we're beginning to see reports [that] because kids are using it in school that they are using it with greater frequency during the day than they would use a cigarette.

**Ralph Nader:** You've probably been asked this question many times--should the tobacco industry be labeled corporate criminals and prosecuted? And what about abolition?

**Matthew Myers:** Well, I phrase it slightly differently. It is critically important that the individuals and the companies who knowingly sell an addictive product and market it to young people are held accountable in any way that our law permits. I've never been a fan of abolition, but I am a fan of government doing everything we can to prevent the tobacco industry from producing products that addict and harm and to curtail the kind of marketing that makes these products appealing to kids. We've shown when we do those kinds of things, we can reduce tobacco use. We've done it. What makes the e-cigarette epidemic so frustrating is that just as we were getting to a point where you could see a day where no kid would be smoking, e-cigarettes came along. In eight states in the United States, high school smoking rates ~~are~~ were 5% or less. In many of those states today, use of the cigarettes is two, three or four times that level.

**Ralph Nader:** E-cigarettes.

**Matthew Myers:** E-cigarettes.

**Ralph Nader:** What's the age when they can buy them? Is the same age as for tobacco?

**Matthew Myers:** It's the same age as for tobacco and then there was a proposal to increase the age to 21. Shockingly, it's a proposal that Juul and Philip Morris both support. It is a good idea to raise the age to 21. They support it because what they want to do is say that's all you have to do and they don't want anyone to curtail their marketing or then develop products that appeal to kids. What we have said is it's good idea to raise the age to 21, but what you need to do is also ban the flavored products that appeal to kids, curtail the level of nicotine in these products and put a clamp on the kind of marketing, particularly social-media marketing, that has turned them into a fad among young people.

**Ralph Nader:** You know, heavy taxation of cigarette and other tobacco products have been shown to reduce consumption. It works. How much taxation would you put on these and I take it they're just paying sales taxes regularly?

**Matthew Myers:** In many cases, they're paying sales tax. We have called for taxation levels that would be at least the equivalent of cigarettes. Unfortunately, the likelihood is that until Congress changes, we're going to have to do it state by state.

**Ralph Nader:** David, Steve, any comments on this?

**Steve Skrovan:** Yeah. I was wondering... and this is slightly out of your area of expertise in a certain sense, but you've been battling the tobacco industry for decades and as you said, you've made a lot of progress. We're in an age right now, especially this month of mass shootings, with what you've learned from battling tobacco companies, what can be applied to battling say the NRA? Do you see any parallel there? Is that a valid question?

**Matthew Myers:** It's a complex question. You know, I think a root of many of these issues, how we get our public officials to actually do what's in the public interest, not in the special interest. It's a problem we see with regard to gun control. Certainly, it was a problem with regard to the opioid crisis and it's always been a problem with regards to tobacco use. The development of citizen armies that hold people accountable and hold legislative officials accountable and at election is absolutely essential if we're going to get those officials not to pay attention to those who line their coffers during the campaign time, and instead to their actual constituents.

**Ralph Nader:** Matt, you've had a very good and widely utilized website, [tobaccofreekids.org](http://tobaccofreekids.org). You also have a specialized one on Juul, [tobaccofreekids.org/juul](http://tobaccofreekids.org/juul). What would people find that's useful to them? --parents, especially?

**Matthew Myers:** Well, I think they will find a number of things. One is we objectively provide you accurate information on the actual health effects and addiction risk of Juul. Second, we provide information that parents should know about how the tobacco industry, and Juul is a member of the tobacco industry as far as I'm concerned, has marketed and reached out to your kid. You know, we all talk about the responsibility of parents. What we were trying to do is make it a fair fight so that when mom and dad sits down with their kid, they don't have to go up against what's the equivalent of the Marlboro Man in having this conversation with young people. The other thing that I think is important is that our hope is that parents will rise up and become citizen activists. They need to call on their state and local officials to take strong action. You know, and ~~the~~ over 30 cities have already banned the sale of all flavored e-cigarettes and all of their flavored tobacco products. Every city in the country should do that.

**Ralph Nader:** Is that on your website?

**Matthew Myers:** It is on our website. They should call on FDA to do its job as well. We need citizens to rise up and both educate their kids, but demand that public officials protect our children.

**Ralph Nader:** Well on that note, thank you very much. Matthew Myers, [President and] long-time director of the Campaign for Tobacco-Free Kids, which has made great progress and Matt is one of the historic figures in this struggle, but there are many other groups, very powerful groups in the public health area--the American Public Health Association, American Lung Association, American Heart Association, Truth Initiative, American Academy of Pediatrics, the Parents Against Vaping, the American Academy of Family Physicians. Join with them, listeners. These are people that have offices and establishments all over the country and they would love you to be part of it. Thank you, Matt.

**Matthew Myers:** Thanks for having me on.

**Steve Skrovan:** We've been speaking with Matthew Myers of the Campaign for Tobacco-Free Kids. We will link to his work at [ralphnaderradiohour.com](http://ralphnaderradiohour.com). When we come back, we're gonna put the "Anybody but Trump" mantra in the context of recent history. But first, let's hear from our *Corporate Crime Reporter*, Russell Mohkiber. You're listening to the *Ralph Nader Radio Hour*. We'll be back in one minute.

**Russell Mohkiber:** From the National Press Building in Washington, D.C., this is your *Corporate Crime Reporter* 'Morning Minute' for Friday, August 23, 2019. I'm Russell Mohkiber. Federal immigration officials say they have probable cause to believe that all five companies operating poultry plants raided by authorities in Mississippi last week, violated immigration law by knowingly hiring undocumented immigrants. That's according to a report in *The Washington Post*. There were clear signs that the companies were hiring people who could not legally work in the country, federal officials alleged. Some workers wore ankle monitors as they awaited deportation hearings, gave social security numbers belonging to the deceased or were hired twice by the same manager even though the worker used different names on each occasion. The companies for years have employed a stream of Guatemalan and Mexican immigrants who are not authorized to work in the United States. For *The Corporate Crime Reporter*, I'm Russell Mohkiber.

**Steve Skrovan:** Thank you, Russell. This is the *Ralph Nader Radio Hour*. My name is Steve Skrovan along with my co-host, David Feldman. Welcome back. And we also have a special guest, s, our executive producer, Alan Minsky, who is not only our executive producer, but also the program director at KPFK [90.7 FM] in Los Angeles and the [executive] director of Progressive Democrats of America [PDA]. Welcome, Alan.

**Alan Minsky:** Thank you so much. I'm actually the former program director at KPFK radio. I do still help out there. It's a brilliant project where the *Ralph Nader Radio Hour* is aired. In fact, this is the home station of the *Ralph Nader Radio Hour* and I am indeed now the executive director of Progressive Democrats of America.

**Steve Skrovan:** Excellent. So, here's what I want to do, gentlemen: after the first year of the Trump administration, I'll tell you this story; I got a Christmas gift from my sister-in-law. It was an election bumper sticker that read: "Any Functioning Adult." That's the quote: "Any Functioning Adult." It was supposed to be funny, but she was surprised that I didn't find it funny and I tried to explain why, but I don't think I got through to her. She took it back and put it on her car and she reports that a number of people have stopped her and told her how much they love it.

Now, as some of you may know, my relationship with Ralph started when I, along with my friend Henriette Mantel, used to work with Ralph. We produced, wrote and directed the documentary *An Unreasonable Man*. For those you're not familiar with the film, which came out in 2007, the title comes from a George Bernard Shaw quotation that goes: "The reasonable man adapts himself to the world. The unreasonable one insists on adapting the world to himself. Therefore all progress depends on the unreasonable man." And that kind of fit Ralph to a "t". So there's a short excerpt from that film I want to play for you today where Ralph dissects the 2004 election.

We were filming a campaign event at Vroman's bookstore in Pasadena, California where group of protesters are carrying signs outside, exhorting Ralph to drop out of the race. Many of these signs read "Anybody but Bush". You'll hear some of the voices of these protesters in the clip as well as the voice of John Kerry. After we play the clip, David and Alan and I are going to discuss this in the context of this upcoming presidential election and the growing chorus that sounds eerily familiar: "Anybody but Trump". Is "Anybody but Trump" a winning strategy? Well, let's roll the clip, which begins with Ralph describing a sit-down with John Kerry in the spring of 2004.

**Ralph Nader:** The meeting with John Kerry was very constructive. He had been saying just the right thing.

**John Kerry:** I'm going to appeal to everybody in this race that will make it unnecessary in the end for an alternative, and I look forward that.

**Ralph Nader:** Fine. Just the exact kind of competition I relish it. Take all the issues; here they are, 25 pages. I sent them to you in December. Take 'em all, no proprietary-ship here. And then I said to him, I said to him, "Look, let's try and do something counterintuitive. Let's pick three major issues that we both believe in and run with them and that will make a real contrast with Bush--corporate welfare, the hundreds of billions of dollars out of taxpayer coffers going into corporate subsidies, handouts, giveaways, bailouts. Let's also crack down on the corporate-crime wave. A lot of Republican voters there; Bush is never going to come out against corporate crime. And the third thing, labor law reform, because you know that Bush is not going to come out off for labor law reform given his corporate paymasters. He wouldn't buy it. Instead, May 2004, was when the massive coordinated attack by the Democratic Party to harass us, to intimidate us, petitioning drives to file more and more lawsuits against us, hiring Ken Starr's old law firm, Kirkland-Ellis and other corporate Republican firms ;; that was the fork in the road. Those three issues would have gotten more votes and the election wouldn't even have been close.

**John Kerry:** I'm John Kerry and I'm reporting for duty.

**Ralph Nader:** I have never seen a period in American history, so devoid of any tactical and strategic sense by the liberals.

**John Kerry:** And I will hunt down and kill the terrorists wherever they are.

**Ralph Nader:** What are they scared of, the Democrats? When Kerry was running for office, there was a poll where 42% of the American people wanted the troops home yesterday--without any leadership by the Democratic Party, without saying to Bush, you don't have the decency

even to count the casualties on our side because you're not counting injured and sick troops. I mean when you can't even go after him for something like that...

**John Kerry:** And what we have to decide is that we're going to keep coming back until this war ends.

**Ralph Nader:** You let the Swift Boat Veterans turn you on the defensive, because you were in Vietnam, and Bush was a draft dodger. It's like they've lost their nerve completely. And they basically said, "Okay, the Republicans are so terrible, we'll go for the Democrats and then work on them later." But the point is if you work on them later, it's too late. You got to work on them during the election campaign to make them look better, to make them stand taller, to make them be more authentic; then you might get them into office.

**Male Protester:** Kerry's not perfect, but he's so, so much better than what's there now.

**Female Protester:** The united goal should be to defeat Bush. "Anybody but Bush."

**Ralph Nader:** Now, let's say he did win. He wouldn't owe any of these people anything because he knew that he got their vote because they disliked Bush so much. What are you gonna win if you win? So he would have no mandate. He would float into Washington, DC, and be surrounded by 25,000 corporate lobbyists and 9,000 corporate political action committees [PACs] and all kinds of demands to put high-level appointments in the hands of corporate selectors and in his administration. And what do we end up with? What is the victory worth? See, I mean, it was a flawed strategy and for all their efforts, they lost.

**John Kerry:** Earlier today, I spoke to President Bush, and I offered him and Laura our congratulations on their victory.

**Ralph Nader:** They lost with a candidate who should have landslided Bush, who should have landslided one of the worst presidents in American history. And it's not an unwarranted perception to say that this Bush regime and the ideological hijackers who have taken over our government is a different cup of tea than Reagan or Bush 1 or Nixon. Then you better start making your candidate stand for the things you believe in that will oppose and thwart this extremely dangerous, incumbent administration.

**Steve Skrovan:** Okay, gentlemen, that's the question. What do you win if you win? We're hearing fifteen years later, "Anybody but Trump."

**Alan Minsky:** Well, I think there's a few things of course, I'd like to point out as the ED of PDA. First of all, Progressive Democrats of America was founded almost immediately after--like a couple days after that clip of John Kerry where he said, "I'm ready and reporting for duty". It came out of the Kucinich campaign with some members from the left wing of the Dean campaign from 2004. So, the organization that, you know, I now am the executive director of, was founded precisely in opposition to basically corporate-moderate domination of the Democratic Party that had been in effect since really, you know, the ascendancy of the Democratic Leadership Council in the 1980s leading into the 1990s. And you can really point to a period like 2004 where it's really at its apex. Obviously, one thing that happened since then was the market crash in 2007-2008, the great recession that followed, which then produced the

Occupy Movement. Eventually, you got of course, to the Bernie Sanders campaign and you do start to see the strengthening of progressive voices inside the Democratic Party, which tip of the hat to PDA, is I think, is probably Progressive Democrats of America--that organization that was founded weekend in 2004 right outside of Boston where the Kerry convention happened, you know, played a big role in the really reintroduction and strengthening of progressive voices inside the Democratic Party. I do think because of that, we are in a different context than we were in 2004. Simply put, if you take the balance of the congressional caucus of the Democratic Party currently, and a lot of this again goes to Bernie Sanders running inside the party in 2016, the impact of the appeal of the policy positions that he put forward, which by the way were very similar, of course. A lot of overlap with the Ralph Nader campaigns of 2000 and 2004, in terms of policy, that the Democratic Party, the congressional caucus, is more progressive and stronger. You actually have Democratic Socialists inside the caucus. In fact, they're some of the most prominent members inside the caucus really articulating a strong, progressive agenda, again in harmony with much of Ralph Nader's longstanding critique of American society and of corporate power. So, things are different in that regard. And I don't think, in that sense, the presidential race can be viewed in the same kind of vacuum that it could in 2004, where on record, you know, John Kerry would have been a senator from Massachusetts somewhat to the left of where the sort of temperature of the general party was--not the base of the party, not the supporters of the party at all--but of the really corporate-dominated leadership of course. This is, very sadly, he ran a terribly moderate-centrist campaign that did not speak to the elements of his voting record that had been progressive.

**Steve Skrovan:** The philosophical point, I think, that Ralph is making, which I think is lost on most people is: people on the left are constantly decried as being too idealistic, not pragmatic enough, and naive. And what I get out of that is that the pragmatic people consider themselves pragmatic, who are really naïve. Because they think, okay, let's elect Joe Biden or somebody like Hillary Clinton or somebody who's a centrist, a moderate who can get those... and they'll be, you know, they'll be progressive when they get in, but they have to do this for the campaign to get all those Republican votes or these independent votes or whatever it is. And Ralph's point is no, that's not how it works. That's a naive notion. Because once they get in, they're going to be surrounded by corporate lobbyists and corporate selectors. And that's the reality of it. So what do you win if you win?

**David Feldman:** I talked to my neoliberal friends and they discount idealism. They say, you know, you have to be the adult in the room. And I say, really? Adults are pragmatic? Adults, many have kids or adopt children; that is the least pragmatic, most idealistic thing you can be is a traditional adult. Having kids is pure idealism. You're not being the adult by voting for Joe Biden.

**Alan Minsky:** Right. Well, I want to say too that I think I only was sort of halfway towards framing the moment because on the one hand, I obviously highlighted the fact of the strength and congressional progressive caucus, "The Squad", et cetera--Bernie Sanders being one of the most prominent voices, you know, in between election cycles in American politics today ~~How~~ much ~~h~~ as Ralph Nader was, by the way, in the decades of the 20th century. But it's not just the congressional caucus is different. I mean, the presidential candidates are different. Bernie Sanders and Elizabeth Warren both are, you know, honest progressives. And one of them may get the Democratic Party nomination. So, there's a battle going on right now inside the

Democratic Party. Also, nobody believes Joe Biden is the sort of outline of the candidate that you just sort of described that, you know, his heart is progressive, but he's going to be surrounded by, you know, the Robert Rubins and Larry Summers who are gonna, you know, insist that he's this kind of triangulator—Well, but everybody knows Biden was absolutely of that core to begin with. I mean, the senator from Delaware, the senator from the credit-card industry; he didn't/he never saw a financial deregulation he didn't endorse, you know, at least not until the markets crashed and then he pretty much pushed back against them. He's, you know, nobody's idea of a progressive who is only being forced to the center because of the political logic of the balance of power. He is a lifelong member of the conservative corporate wing of the Democratic Party. And so, there's a big difference now between 2000 and 2004 is the very real possibility that, you know, Bernie Sanders is in the context of electoral politics. He's not a political progressive; he's a political progressive radical and Elizabeth Warren, clearly is a political progressive whose career's work has been right in harmony with the corporate critique that Ralph Nader has put forward.

**Steve Skrovan:** But Alan, so many people that I talk to, it's “Anybody but Trump”; they don't think of it any farther than that. The whole presidential election is, everybody's a casting director. They're trying to put together a ticket that will-- it's either Biden or it's Harris and Ryan, I've heard. Something that will [be] -- devoid of any sort of policy consideration and that seems to be the, you know, whatever--the insider stuff. I think you're obviously right.

**David Feldman:** Yeah. It's really annoying that they like to believe they're smarter than they think. In other words, they have no core beliefs. They're just trying to put together that perfect ticket that can beat Trump.

**Steve Skrovan:** But everybody's a pundit; everybody's a strategist.

**David Feldman:** What are your core issues? I like what Ralph says in *An Unreasonable Man* when he walks up to Kerry and says, “Let's pick three issues that we can agree on.” Because eventually, the Democrats are going to have to tell us; I'm not talking about the candidates. I'm talking about members of the Democratic Party. They're going to have to decide what they believe in. They have to decide: Do you want universal health insurance? Medicare for All? Do you want a Green New Deal? Do you want to repeal Taft-Hartley and speak up for unions? If you're against that, then get out of the Democratic Party; go be a Republican. That's uncomfortable for Democrats to confront because if you're not for Medicare for All, if you're not for the Green New Deal, if you're not for taking the sides of unions in all issues, then you don't belong in the Democratic Party, ~~with~~ which is putatively the party for the working class--for the people, for the 99%.

**Steve Skrovan:** And also, here's another way I think the pragmatic centrists are naive is if you want to know what a politician stands for, find out who's paying them. So there are two things you can look at. You look at the issues, okay, you know, maybe two issues that are sort of litmus test for me. And then okay, because anybody can say anything during the campaign. But if you find out who's paying them, are they going to Wall Street for money? Are they going to the Hamptons? That's who they're going to answer to. And that was Ralph's point in the clip too is that they are going to answer to those who gave them the mandate to get into office. That's why Trump is so hard on immigration in this latest stuff about Rashida Tlaib and Ilhan Omar and

calling Jewish Democrats disloyal; it's because he knows who put him in office and that's who he's going to try to appeal to.

**Alan Minsky:** Well, I want to jump in here and say that let's look at two things. First of all, I'm gonna go against the grain of where of my heart is because I agree with both of you in terms of what I think the substance of what you're saying is. And so let me actually say that first, which is that I think if Joe Biden becomes president, if he does become president, on the whole logic of the pragmatic, "Anybody but Trump", and he's the guy who's the safest and he ends up becoming president, look, he is an absolute representative of what David referred to as neo-liberalism, the sort of economic system that's been built up over the last 40 years. I actually think that is a political dead-end for the Democratic Party and for American society. We see now how that system operates. Basically, all the gains in wealth goes into the pockets of the very few and the rest of society is left to a struggle with very little in terms of any kind of social safety net. The very things that FDR and through the LBJ administration were put in place and with Ralph Nader really at the lead through the Nixon and Ford administrations into the Carter administration--the regulatory apparatus, a social safety net, progressive taxation, redistribution of wealth and strong middle class. Those things have gone by the wayside. They are no longer the immediate future or present of contemporary American society and the logic of that has to be broken, whereas Joe Biden is, throughout his entire political career, one of the political drivers actually and in many respects, author as the Senator from Delaware of everything about that neoliberal ideology. So, there's a real danger, if he becomes elected--the danger in the next election cycle, because nothing—if it stays the same, unless there's a significant change because of maybe progressive forces that are exerted on from Congress or whatever, but if he governs the way that he has throughout his political career as president, there's going to be a backlash really hardcore because it's just a dead-end. It's the absolute erosion and collapse with the dream of America as a middle-class society, something significant has to change. That's number one. But number two, I do want to say this, of course, just to frame things in terms of why people are saying that about Trump, and of course it's the analog to Bush, but we are in this period in which there is this rising ethno-nationalist heads of state around the world now. You know, this week, the Italian proto-fascist, Salvini is basically collapsed that government because he believes when a general election Bolsonaro and Duterte in the Philippines, Modi in India, Putin in Russia, Boris Johnson is an ally in 10 Downing Street, of Donald Trump. You have, you know, Hungary, Poland, et cetera, and Turkey. You have this circumstance around the world and Trump is the leading figurehead of that political tendency around the world. And so we have to make the case strongly that there is an incredible danger to electing a centrist, status-quo Democrat because that plays, actually in the long-term, very much into the hands because if at the left does not offer a solution, if progressives of the Democratic Party do es not offer a solution out of this dead-end situation, we're in in this society, that plays into the hands of the Trumps in the world and the demagogues--the right-wing ethno-nationalist demagogues.

**Steve Skrovan:** Excuse me, Alan, that was Ralph's last point. You're saying if we elect a Joe Biden; Ralph's last point is, for all their efforts, they lost, that this is a flawed strategy. Al Gore lost. John Kerry lost. Hillary Clinton lost. That it is not pragmatic at all to think about this "safe choice" because it isn't safe at all. They've lost.

**Alan Minsky:** Well, let me just say this. Look, Ralph Nader is a genius who understands the institutional organization of American society as well as anybody in American society and he has

throughout his entire career. And I do think that we have two progressive candidates who have a very, very, very solid as well as a Ralph Nader level of understanding about the institutional organizations of society. So, you know, clearly, there's a choice to be made by people who are voting in the Democratic primaries or participating in the caucuses, between candidates who seek to reaffirm America as a middle-class society. That's one where wealth is shared, that addresses all the endemic crises and the wing of the party that doesn't and maintains a really flawed status quo. And the danger isn't just that that candidate could lose. It's that, you know, in all due respect to the Obama administration, we had two terms of the Obama administration and that landed us at the end of the day with Trump because of people seeing the Democratic Party as doing nothing more than maintaining really atrocious status quo in this society.

**David Feldman:** What did Obama really give us in the end? A deeply flawed healthcare system. What did he give us? He gave us DACA. DACA was noble, but he also deported what 3 million undocumented people? I mean, what did Obama give us? I loved the idea of Obama, but what did he give us?

**Alan Minsky:** Well, I'll let that question hang. And again, I think we do need and there are ways to do this that again, that politicians with—

**David Feldman:** Well, I'm sorry, Alan, cause I'm really curious because...

**Alan Minsky:** Well, I mean you can answer, you can answer that, you can answer that question a number of ways. You could; argue that he gave us the Trump presidency because of his unwillingness to achieve the progressive transformations in American society that the population was looking for from a supposedly progressive president. And gentlemen, I have to go, I got to jump on air.

**Steve Skrovan:** Well, thanks, Alan, for joining us. I want to thank our guests again, Matthew Myers and Alan Minsky and for those of you listening on the radio that's our show. For you podcast listeners, stay tuned for some bonus material we call the 'Wrap Up' where David, Alan and I will be pontificating a bit more. A transcript of this show will appear on the *Ralph Nader Radio Hour* website soon after the episode is posted.

**David Feldman:** Subscribe to us on our *Ralph Nader Radio Hour* YouTube channel, and for Ralph's weekly column, it's free, go to [nader.org](http://nader.org). For more from Russell Mokhiber, go to [corporatecrimereporter.com](http://corporatecrimereporter.com).

**Steve Skrovan:** And Ralph has got two new books out the fable, *How the Rats Re-Formed the Congress*. To acquire a copy of that, go to [ratsreformcongress.org](http://ratsreformcongress.org). And *To the Ramparts: How Bush and Obama Paved the Way for the Trump Presidency and Why It Isn't Too Late to Reverse Course*. We will link to that also. The producers of the *Ralph Nader Radio Hour* are Jimmy Lee Wirt and Matthew Marran; our executive producer is Alan Minsky.

**David Feldman:** Our theme music "Stand Up, Rise Up" was written and performed by Kemp Harris. Our proofreader is Elisabeth Solomon. Join us next week on the *Ralph Nader Radio Hour*.

**Steve Skrovan:** Thank you, Ralph.

**Ralph Nader:** Thank you, everybody. Use the August recess. The senators and ~~centers~~ representatives are back in your district and your state. Then you tell them what's on your mind. Give them the instructions.