

Michael Pertschuk Papers
A Finding Aid to the Collection in the Library of Congress



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Revised and expanded by Laura J. Kells

Finding aid encoded by Library of Congress Manuscript Division, 2006
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Collection Summary

Title: Michael Pertschuk Papers

Span Dates: 1949-2002

Bulk Dates: (bulk 1977-2001)

ID No.: MSS61779

Creator: Pertschuk, Michael, 1933-

Extent: 49,400 items

Extent: 149 containers

Extent: 59.6 linear feet

Language: Collection material in English

Location: Manuscript Division, Library of Congress, Washington, D.C.

LC Catalog record: <https://lcn.loc.gov/mm84061779>

Summary: Lawyer, federal trade commissioner, and lobbyist. Correspondence, memoranda, email, speeches, statements, book files, subject files, and other papers primarily concerning Pertschuk's career as chairman and commissioner of the Federal Trade Commission and consumer and tobacco control issues.

Selected Search Terms

The following terms have been used to index the description of this collection in the LC Catalog. They are grouped by name of person or organization, by subject or location, and by occupation and listed alphabetically.

People

Anderson, Jack, 1922-2005--Correspondence.

Bailey, Patricia Price, 1937- --Correspondence.

Brinkley, David--Correspondence.

Carter, Jimmy, 1924- --Correspondence.

Cohen, David, 1936-2015--Correspondence.

Dingell, John D.--Correspondence.

Florio, James J., 1937- --Correspondence.

Glantz, Stanton A.

Goldfarb, Lewis H.--Correspondence.

Horowitz, David, 1937-2019--Correspondence.

Kessler, David A., 1951-

Koch, George William, 1926- --Correspondence.

Koop, C. Everett (Charles Everett), 1916-2013.

Magnuson, Warren G. (Warren Grant), 1905-1989--Correspondence.

McCarthy, Colman--Correspondence.

Miller, James Clifford--Correspondence.

Mondale, Walter F., 1928-2021--Correspondence.

Muskie, Edmund S., 1914-1996--Correspondence.

Nader, Ralph--Correspondence.

Navasky, Victor S.--Correspondence.

Pertschuk, Michael, 1933-

Pertschuk, Michael, 1933- Giant killers. 1986.

Pertschuk, Michael, 1933- Revolt against regulation: the rise and pause of the consumer movement. 1982.

Pertschuk, Michael, 1933- Smoke in their eyes : lessons in movement leadership from the tobacco wars. 2001.

Peterson, Esther, 1906-1997--Correspondence.

Pitofsky, Robert--Correspondence.

Ransom, Alan A.--Correspondence.

Reagan, Ronald--Correspondence.

Rice, David Ainsworth, 1940- --Correspondence.

Rudman, Warren B.--Correspondence.

Simpson, Alan K.--Correspondence.

Stern, Philip M.--Correspondence.
Strauss, Robert S.--Correspondence.
Watson, Jack H., 1938- --Correspondence.
Weinberger, Caspar W.--Correspondence.

Organizations

United States. Congress. Senate. Committee on Commerce.
United States. Federal Trade Commission.

Subjects

Antitrust law.
Citizens' associations.
Consumer protection.
Energy industries--Law and legislation--United States.
Food law and legislation--United States.
Lobbying.
Medical care--Law and legislation--United States.
Public interest--United States.
Tobacco industry--United States.
Tobacco--Law and legislation--United States.
Trade regulation--United States.
Transportation--Law and legislation--United States.

Places

China--Description and travel.
United States--Politics and government--1977-1981.
United States--Politics and government--1981-1989.

Occupations

Lawyers.
Lobbyists.

Provenance

The papers of Michael Pertschuk, lawyer, federal trade commissioner, and lobbyist, were given to the Library of Congress by Pertschuk in 1984. Several additions were given by Pertschuk between 1989 and 2003.

Processing History

The Pertschuk Papers were processed in 1992 and revised and expanded in 2003.

Transfers

Sound recordings of interviews and a video recording have been transferred to the Motion Picture, Broadcasting, and Recorded Sound Division where they are identified as part of these papers.

Copyright Status

Copyright in the unpublished writings of Michael Pertschuk in these papers and in other collections of papers in the custody of the Library of Congress has been dedicated to the public.

Access and Restrictions

Restrictions apply governing the use, photoduplication, or publication of items in this collection. Consult a reference librarian in the Manuscript Division for information concerning these restrictions.

Preferred Citation

Researchers wishing to cite this collection should include the following information: Container number, Michael Pertschuk Papers, Manuscript Division, Library of Congress, Washington, D.C.

Biographical Note

Date	Event
1933, Jan. 12	Born, London, England
1954	B.A., Yale University, New Haven, Conn. Married, Carleen Joyce Dooley (divorced 1976)
1954-1956	First lieutenant, artillery, United States Army
1957	Assistant in instruction, Yale University Law School, Yale University, New Haven, Conn.
1959	LL.D., J.D., Yale University, New Haven, Conn. Admitted to Oregon bar
1959-1960	Law clerk for United States District Court Judge Gus O. Solomon, Portland, Oreg.
1960-1962	Associate in law firm, Hart, Rockwood, Davies, Biggs & Strayer, Portland, Oreg.
1962-1964	Legislative assistant, Senator Maurine B. Neuberger of Oregon
1964-1968	Consumer counsel, Senate Commerce Committee
1968-1977	Chief counsel, staff director, Senate Commerce Committee
1977	Married Anna Sofaer
1977-1981	Chairman, Federal Trade Commission
1981-1984	Commissioner, Federal Trade Commission
1982	Published <i>Revolt Against Regulation: The Rise and Pause of the Consumer Movement</i> . Berkeley: University of California Press
1984-	Codirector, Advocacy Institute, Washington, D.C.
1984-1985	Fellow, Woodrow Wilson International Center for Scholars, Washington, D.C.
1986	Published <i>Giant Killers</i> . New York: Norton
1989	Published with Wendy Schaezel <i>The People Rising: The Campaign Against the Bork Nomination</i> . New York: Thunder's Mouth Press
2001	Published <i>Smoke in Their Eyes: Lessons in Movement Leadership from the Tobacco Wars</i> . Nashville, Tenn.: Vanderbilt University Press

Scope and Content Note

The papers of Michael Pertschuk (1933-) span the years 1949-2002, with the majority of the papers concentrated from 1977 through 2001. They focus on Pertschuk's work in the arena of consumer protection and consist of two parts processed at different times. Part I relates primarily to Pertschuk's career in the [Federal Trade Commission](#) (FTC). Part II focuses primarily on his writing projects and his work in the field of public interest lobbying and as a tobacco control advocate in the years following his departure from the Federal Trade Commission.

Part I

The bulk of the papers in Part I documents Pertschuk's career as chairman and commissioner of the Federal Trade Commission. This part consists of four series: [Federal Trade Commission](#); [Scheduling File](#); [Speeches, Statements, and Writings File](#); and [Miscellany](#). Many of the files contain photocopies rather than original items.

The [Federal Trade Commission](#) (FTC) series (1970-1984) constitutes more than half of Part I. Papers in this series are divided into three subseries: [Correspondence](#), [Subject File](#), and the [James Clifford Miller File](#). The [Correspondence](#) subseries (1977-1984) is divided into five sections: chronological correspondence, congressional correspondence, federal agencies correspondence, personal correspondence, and the public interest and complaint file. The majority of the correspondence pertains to questions about the commission's regulatory investigations, policies, and hearings. Also included are complaints by the public and government officials requesting inquiries into the practices of various businesses and corporations. Correspondence in later years focused on Congress's attempts to limit the FTC's power and the commission's less aggressive role in the regulation of antitrust cases, advertising, and other consumer issues. The Personal Correspondence subseries includes letters of a more personal nature and provides a glimpse of the private Pertschuk.

Papers in the [Subject File](#) subseries document Pertschuk's efforts to make the FTC more active in regulating antitrust and consumer issues in four broad areas: energy, food, health, and transportation. Under his chairmanship, consumer initiatives included efforts to regulate children's advertising, food advertising, the automobile industry, funeral parlors, and professional groups. After his election as president, Ronald Reagan named a new FTC chairman, James Clifford Miller, and Pertschuk became one of the seven commissioners. Also interfiled in this subseries are a few items pertaining to Pertschuk's duties while commissioner under Miller. Files relating to the John D. Dingell report, written by Pertschuk at Congressman Dingell's request, detailed the commissioner's assessment of the Reagan administration's attitude toward regulation. Further evidence of the differing philosophies of Pertschuk and Miller is documented in the [James Clifford Miller File](#). This subseries pertains to Pertschuk's tenure as a commissioner at the FTC during Miller's chairmanship, 1981-1984. Major topics include advertising substantiation, antitrust enforcement, and deception.

The [Scheduling File](#) contains correspondence, memoranda, appointment books, calendars, and invitations relating to Pertschuk's duties as chairman and commissioner of the FTC. Most of the invitations are requests for him to speak about consumer issues. Also included are scheduling papers pertaining to his career as chief counsel for the United States Senate Commerce Committee.

Papers in the [Speeches, Statements, and Writings File](#) relate primarily to Pertschuk's articles, books, and speeches on consumer topics. More than half of the series is comprised of papers pertaining to two of Pertschuk's books, *Revolt Against Regulation: The Rise and Pause of the Consumer Movement* and *Giant Killers*. *Revolt Against Regulation*, which began as a series of lectures at the University of California at Berkeley, is a history of government regulation told from an insider's perspective. *Giant Killers* described lobbying strategies used by citizen groups to defeat big business and government administrations. Additional material relating to this book is filed in [Part II](#). In addition, there are writings authored during his service with the Senate Commerce Committee and poetry written by him in 1949 and 1950. The notebook file compiled by his FTC staff contains most of his speeches, statements, and writings created during his tenure at the commission. A partial index precedes the notebook file.

The final series in Part I, [Miscellany](#), consists primarily of biographical material about Pertschuk and papers relating to his career with the Senate. Other files chronicle his trip to China in 1976.

Among Pertschuk's correspondents are Jack Anderson, Patricia P. Bailey, David Brinkley, Jimmy Carter, David Cohen, John D. Dingell, James Florio, Lewis H. Goldfarb, David Horowitz, George W. Koch, Warren G. Magnuson, Colman McCarthy, James Clifford Miller, Walter Mondale, Edmund S. Muskie, Ralph Nader, Victor S. Navasky, Esther Peterson, Robert Pitofsky, Alan A. Ransom, Ronald Reagan, David A. Rice, Warren B. Rudman, Alan Simpson, Philip M. Stern, Robert S. Strauss, Jack H. Watson, Jr., and Caspar W. Weinberger.

Part II

Part II of the Michael Pertschuk Papers is comprised of two series: [Book Files](#) and [Miscellany](#). The general theme in these files is public interest activism with a concentration on the issue of tobacco control.

[Book Files](#) constitute the major portion of the addition, the largest of which relates to his book *Smoke in Their Eyes: Lessons in Movement Leadership from the Tobacco Wars*. Included are reference files documenting the individuals, organizations, and events surrounding the possible negotiated settlement between public health advocates and the tobacco industry in 1997-1998, transcripts of interviews with leaders in the anti-tobacco movement, and drafts of this publication. Individuals featured include Stanton A. Glantz, David A. Kessler (1951-), C. Everett Koop, and Michael L. Myers. Files on *Giant Killers* supplement material on that book in Part I. Files pertaining to *The People Rising: The Campaign Against*

the Bork Nomination contain book reviews and document efforts to publish and promote the book about the coalition which worked to defeat the nomination of Robert H. Bork to United States Supreme Court.

The [Miscellany](#) series relates to the Advocacy Institute, a nonprofit organization co-founded by Pertschuk. Much of the material concerns tobacco control efforts. Other items include his speeches and writings on consumer issues and the tobacco movement.

Organization of the Papers

The collection is arranged in six series:

- [Part I: Federal Trade Commission, 1970-1984](#)
- [Part I: Scheduling File, 1973-1984](#)
- [Part I: Speeches, Statements, and Writings File, 1949-1986](#)
- [Part I: Miscellany, 1954-1985](#)
- [Part II: Book File, 1959-2002](#)
- [Part II: Miscellany, 1967-2001](#)

Description of Series

Container	Series
BOX I:1-99	<u>Part I: Federal Trade Commission, 1970-1984</u>
BOX I:1-41	<u>Correspondence, 1977-1984</u> Incoming and outgoing correspondence with the president, White House staff, members of Congress, government officials, FTC staff, friends, acquaintances, and the general public with appended material such as clippings and pamphlets pertaining to Pertschuk's duties as FTC chairman and commissioner. Arranged alphabetically by type of correspondence and therein alphabetically by name, organization, or topic or chronologically.
BOX I:41-82	<u>Subject File, 1970-1984</u> Correspondence, memoranda, briefing books, reports, charts, minutes of meetings, bills, motions, orders, petitions, speeches and statements, notes, photographs, clippings, and printed matter relating to Pertschuk's activities at the FTC. Arranged alphabetically by type or subject of material and thereunder chronologically.
BOX I:82-99	<u>James Clifford Miller File, 1977-1984</u> Correspondence, memoranda, reports, bills, motions, orders, petitions, speeches and statements, notes, clippings, and printed matter relating to Pertschuk's tenure as a commissioner under chairman James Clifford Miller. Arranged alphabetically by type or subject of material and thereunder chronologically.
BOX I:99-104	<u>Part I: Scheduling File, 1973-1984</u> Correspondence, memoranda, appointments books, calendars, and invitations consisting primarily of speech requests and invitations to Pertschuk while commissioner and chairman at the FTC. Also includes material relating to Pertschuk's career with the United States Senate. Arranged by type of material and therein chronologically.
BOX I:104-123	<u>Part I: Speeches, Statements, and Writings File, 1949-1986</u> Correspondence, memoranda, speeches and speech notes, articles, book drafts and notes, poetry, notebooks, research material, and printed matter. Arranged alphabetically by type of material and therein chronologically.
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BOX II:1-23	<u>Part II: Book File, 1959-2002</u> Correspondence, memoranda, printed email, book drafts, notes, interview transcripts, research material, and book reviews. Arranged alphabetically by book title, then by type of material, and therein chronologically.

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Part II: Miscellany, 1967-2001

Correspondence, memoranda, printed email, biographical material, speeches, writings, interview transcripts, reports, and printed matter.

Arranged alphabetically by type or topic of material and thereunder chronologically.

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