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Parmelee, Carole oral history interview

Don Nicoll

Interview with Carole Parmelee by Don Nicoll

Summary Sheet and Transcript

Interviewee
Parmelee, Carole

Interviewer
Nicoll, Don

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Place
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Biographical Note

Carole Ann Parmelee was born in Columbus, Ohio on February 4, 1944. Her mother, Marie (Jackman) Clemens, was a homemaker, and her father, Vernon, was a factory worker in a steel mill. Both of her parents were Democratic supporters and her father was an organizer in the steel union. After high school she attended Otterbein College and first became politically active in the local Kennedy campaign. In 1970 she founded and became president of the Northeast Columbus Democratic Women's Club and worked on John Gillian's campaign staff and eventually worked as a staff member until 1974 when Gilligan lost re-election. She met her second husband, Ken, and the two began working for Governor Dan Walker of Illinois. She later moved to Washington, D.C. and worked for Howard Metzenbaum for a short time, then joined Senator Muskie's staff, first as a legislative assistant to Jim Case and then as a personal assistant to Muskie doing scheduling and advance work. She continued as his personal assistant when he left public office and joined the law firm of Chadbourne & Parke, during the time he served on the Nestle Infant Formula Audit Commission (NIFAC). At the time of this interview, Parmelee was working with Leon Billings at the Muskie Foundation, an organization created to further Edmund S. Muskie's lifelong commitment to public service, civic responsibility, and the protection of the natural and human environment.

Scope and Content Note

Interview includes discussions of: Nestle Infant Formula Audit Commission (NIFAC); members of NIFAC; INFACT; Chadbourne & Parke law firm; and the Center for National Policy.

Indexed Names

Albright, Madeleine Korbel
Belden, Roy
Greenwald, Daniel J. "Jack"
Jackson, Thad
Maucher, Helmut
Muskie, Edmund S., 1914-1996
Muskie, Jane Gray
Nicoll, Don
O'Donnell, Kirk
Pagan, Ray
Panetta, Leon E., 1938-
Parmelee, Carole
Swenson, Erik J.
Vance, Cyrus R. (Cyrus Roberts), 1917-2002
Wogaman, J. Philip

Transcript

Don Nicoll: We are in the offices of the Edmund S. Muskie Foundation, and it is the 30th of January, 2003, Don Nicoll is interviewing Carole Parmelee. Carole, Today we're going to talk about NIFAC, the Nestlè Infant Formula Audit Commission, which Senator Muskie chaired. And do you recall when he first became aware of the fact that Nestlè, I assume, wanted him to chair that commission?

Carole Parmelee: Yes, we had just arrived at Chadbourne & Parke from the Department of State transition office, where we had transitioned after the Reagan inauguration in January of '81. And Muskie, in that transition office, had interviewed with a number of law firms and chose Chadbourne & Parke. We were in an office of about five or six attorneys; it was their Washington office, the New York office was much larger. He came to the law firm obviously without clients. What he brought, though, was a great deal of integrity and honesty.

And one of the young attorneys in the law firm at that time, whose name was, is [Daniel J.] Jack Greenwald, and Jack is now an attorney in the UAE, but stayed with Chadbourne & Parke for about ten years after that. He had had a meeting, and I don't know how he had this meeting, with a gentleman by the name of Ray Pagan. Ray headed up the Nestlè nutrition center in Washington and, to go back a little bit, in 1977 I think, a group called INFACT in Boston had initiated a boycott against Nestlè for what they felt were unfair practices of marketing breast milk substitutes in Third World countries. Jack then had a discussion with Ray Pagan on that

subject, and during that meeting mentioned that Chadbourne & Parke had the former secretary of state as a new partner. And I think from that meeting they discussed the idea of using him in some way. And I think Ray probably at that point already had, because he was a PR type, and I think he already had the idea of setting up some type of a commission to monitor their compliance with the World Health Organization's code of breast milk marketing, and wanted a figurehead that would be unquestionable.

Jack then brought that suggestion to Muskie. And his concern, first of all, was exactly what you'd think it was. He was concerned that he was not going to be used, that he would remain independent, the commission would be independent if he chose to chair it, and that he would not be doing Nestlè's bidding. He would work with them, but he was not going to try to whitewash anything that he felt was going on and wasn't fair. I think there were a number of meetings over that fact, and they obviously satisfied him that he would have free rein and that he could pick and choose the members of the commission, with their approval.

DN: Let me go back just a minute on this. The, Nestlè had, or Chadbourne & Parke had Nestlè as a client?

CP: No, they did not.

DN: They didn't. It was simply the relationship between -

CP: Between Jack Greenwald and Ray Pagan that, I think, instigated the whole idea of the commission and Muskie being the chair. Now, to be fair, I think, you have to understand, too, that Muskie was not a percentage partner at Chadbourne, he was on a salary, and he had no clients. So this gave him the ability to say, “I will do this.” And once our charge is finished, it was, if not explicitly stated, it was thought that Nestlè would at that point at least share some of their legal business with Chadbourne. And there was no reason to think that they would not. So I think that was one of the keys and one of the draws of doing this also.

DN: He was satisfied, they were satisfied, and then they took the steps collectively to . . . .

CP: To set up the financial arrangements, and the organizational arrangements, and to the best of my knowledge Nestlè paid all expenses of the commission, and all travel expenses of the members. And that became, obviously, a big point with the activists that, you know, how can this be an independent audit commission when it's totally bought and paid for by Nestlè. But Muskie took no personal money from them. He, I believe at that time, his going rate as an attorney with Chadbourne & Parke was three-fifty, four hundred dollars an hour. So he was able to bill for his time to Nestlè, so Nestlè paid the firm for Muskie's time, as well as all expenses for the commission.

DN: And during this period, were there any problems with Nestlè in terms of the independence?

CP: I think so. I don't think things went smoothly from my side of the office door, when Muskie and Pagan were meeting. Lots of shouting, lots of screaming, lots of, ‘but I will’, and

'but I won't'. So I think they had, at least initially, some real concerns about working that out. They obviously did work it out.

DN: And how did he deal with the activist groups who were very critical of Nestlè and suspicious of the commission?

CP: Well, I think he would always refer back to the members of the commission and say, "You obviously can't be throwing stones at the head of the Methodist church here in the United States," because the Methodists were behind the original boycott. Child nutritionists, members of the cloth, two were priests or reverends, one was a medical doctor who dealt only with children. So I think that in presenting the whole picture to the activists, they had to realize that even though Nestlè was supporting this effort and funding it, there was no way that you could have co-opted all of these sterling members of the community, the international community actually. And I think that that was a good point, because I think they realized that they couldn't have, you know, kind of put together a group of people that all felt that, okay, let's get together and support Nestlè. It just was not that way.

DN: And how did the relationship build between Senator Muskie and the members of the commission?

CP: Oh, I think like any other commission, there were those that he could work a little more closely with; there were those who would match him in confrontation and being loud and needing to look at all eleven sides of an issue or a point. But I think he felt, and the commission members changed from time to time, circumstances would require that one member had to drop off to go to another commitment, and then they would bring someone else on.

But the original group I think was a group that, each brought its own strength, each person brought their own strengths to the table. And where one person could actually bring the group together a little better, Phil Wogaman, VJ [Vijaya Melnick] could deal better with Muskie himself. I mean she, even being a woman, would feel that she could go right in his office and say, "Listen, that was uncalled for and you shouldn't have done this," if he had lost his temper, as he many times did. So I think they all played a specific and different kind of part, they all were different clogs and wheels, if you will.

DN: You made an intriguing aside there I'm going to press you on. "Even a woman."

CP: Not from my point of view, from his point of view, from his point of view. He was just at the tender age of his late sixties realizing that women could hold equal places in both the world of law and of medicine and the clergy. And I think that most women, frankly, were not, they would not get in his face and shout and be confrontational with him as easily as most men in his life. So I think he was a little appreciative actually, of the fact that VJ could do this, could calm him down. And he reacted differently to her than he did to some of the men.

DN: Was that a case of chemistry, if you will?

CP: I think it was that, and I think that having worked with her over a number of months, he

really respected her work. And she was very articulate, as you probably know from talking with her, and very focused and very intense on what she was doing, and I think those were all qualities that he appreciated. So I think, when I said, “even as a woman”, I think I meant he looked at her as an equal, which he did not always do.

DN: On another occasion, we're going to go back and talk about some of the other women who worked for him and how they related to him. The people at Nestlè, you spoke of Jack [***sic*** Ray] Pagan being -

CP: Ray Pagan.

DN: Ray Pagan, being the first one. Did he remain as the principal contact throughout?

CP: He did not. I believe, this commission was started in '82, the boycott began in '77, the commission started in '82, and they actually came to an agreement with the activist groups in '84. Later, there was further concern that they weren't complying with the WHO code and the boycott kind of started up again, or was challenged a great deal. But the actual agreement between NIFAC, between Nestlè and the activists, was signed in '84, and at that time I believe Ray Pagan left Nestlè. And I think what he did was use the knowledge that had been gained from work with the activists, and the issue of corporate responsibility, I think he took those lessons and used them as a basis to start his own PR firm, because it became, I think it was Pagan International. And there were a lot of activities going on with major corporations at that time, where someone who could kind of major in helping you with corporate responsibility, it was a good selling point, and I think it was a timely thing for him to do. So I think that, the transition between when he left and when Thad came in was around '84. And I think he also died shortly after that. I know he is no longer alive, and I know he's been gone for about ten years, so I think it's been awhile.

DN: And he was succeeded by Thad Jackson.

CP: I believe so.

DN: Who was a scientist.

CP: Yes.

DN: And did that change the working relationship at all?

CP: I think overall, no, because the real working relationship was between Muskie and his commission, and the activists, and reporting back to Nestlè. But Thad was involved in every meeting, almost every meeting, and I think if there was any change it would be that Thad seemed to defer more to Muskie than Ray Pagan did initially. I mean, they were just different personalities.

DN: What kind of a person was Ray Pagan?

CP: Kind of full of himself. I don't know anything, Don, about his background, I don't know where he came from. But I think he felt very good that he had the former secretary of state chairing this commission, and I think that Nestlè was very pleased with that, and therefore I think he was very proud of what he'd accomplished, and rightfully so. Other than that, he was, probably could match Muskie in blow ups and confrontations and being very, he wasn't as thoughtful as Ed Muskie, I didn't find him as articulate, but that really wasn't his job.

DN: He was a PR specialist from the beginning.

CP: I believe so, from the beginning.

DN: And you say that Thad Jackson was more deferential in his dealings with the senator.

CP: I felt he was. And going back, yes, Ray was a PR specialist, I think. And I think that probably the Nestlè office was opened in '80 to deal with being able to market their product in Third World countries, and to be able to deal with the ramifications of that, so I think Nestlè probably wanted someone who had that kind of a background. I'm supposing, but I think that's correct.

DN: But interestingly enough, at Ray Pagan's departure, they elected to use a scientist as their liaison.

CP: Now, it might not have been a cut and dry change. Thad may have been there working with Ray, and when Ray left stepped up.

DN: What was it like working with him?

CP: With Thad? Oh, very good, very good. He was very helpful, very amenable to any of the changes we had to make, and he was very protective I think of Muskie, also. And I mean that in, I did not travel with the commission, it made a few trips, but when I would get debriefed by the guys who did travel, Jack Greenwald, Eric Svenson, they would always say that Thad took it upon himself to make sure that Muskie was well taken care of and that he had everything he needed, both personally and professionally, and that makes my job a lot easier, so I got along very nicely with Thad and appreciated what he did.

DN: That raises the question about the demands on you and your time in dealing with the commission.

CP: It was mostly, in the beginning, organizing. Then it was keeping track of the time that the senator spent on it, and being the liaison between him and the commission members when they dispersed and went back home; and preparing documents, and making sure that everyone had what they needed. And it was, I was doing “process” more than anything else. And because he didn't have a lot of clients, I really enjoyed doing it. It was a subject that was fascinating, and he really got into it. He, in the beginning, you know, the concerns about being independent. But once the commission was set up and once he was really in the throes of the activities, he was very, very much involved.

DN: Now, you had at least one lawyer assigned to assist all the way along.

CP: Yes, yes, one associate was assigned to help him with anything he needed in the legal area for the entire time. The first one was Jack Greenwald who had brought Pagan and Nestlè to the firm. The second one was Erik [J.] Swenson, who is now in Atlanta with King & Spaulding, and then the last was Roy Belden, who's now at Chadbourne & Parke still.

DN: And so most of the technical research was done by them?

CP: Yes.

DN: Technical and legal. But you had the collation and distribution to handle, and a lot of correspondence I assume.

CP: A lot of correspondence, and a lot of, and again before computers and E-mail, so there was a lot of telephone work with the various commission members.

DN: What was the relationship between Senator Muskie and some of the senior people in Nestlè? Was there much dealing with them, or was that -?

CP: No, there really wasn't. There were a number of phone calls when the code was being worked on at the World Health Organization. I think when he traveled to Switzerland, which he did a number of times, they were very interested in showing him a wonderful time. Jane went with him almost every time, so they were both working and pleasure trips. And I think that his probably closest working relationships were with two people, the first was Helmut Maucher, who was the managing director of Nestlè in Switzerland, and Jeff Fuchs, who I believe may be the managing director now, but at that time worked under Helmut Maucher, Dr. Maucher.

DN: And as the commission matured and then came to the end of their operation, who made the basic decision that it really should terminate at the end of that period?

CP: Well, they were working toward a goal, and when they had accomplished that goal, which was to produce a document that all the parties could sign, that basically was the end of their work. Because they started out with a charter that, to monitor Nestlè's marketing practices as defined by the code, and once they set up that agreement that the activists looked at and worked with, there was a lot of interaction, once they had a document that both sides agreed upon and they presented it to Nestlè, Nestlè agreed, then there was a press conference where it was announced to the interested press and it was signed by all parties. And that technically was the end of the commission's work.

So ending the boycott was really the final, as I said, I think then there was need to further monitoring because the activists along the way felt that Nestlè was still not sticking to their bargain. They were still putting breast milk substitutes into a couple of countries, for instance Mexico and Thailand, but they were doing it under the auspices of doing a study to see what will happen when we withdraw it, you know, for the safety of the babies, when in actuality it

probably had as much to do with, how much money are we going to lose and who's going to come in and take this market, as it was the safety of the babies. But, and the activists understood that and saw that right away as infringing on their agreement.

DN: As it ended, how did Senator Muskie feel about the work of the commission?

CP: I think he felt very good about it. I think he was very pleased with what they had been able to accomplish, and I think he also felt that during the years that they were working on this that he gained the respect of a number of the activist heads, and that they realized that they could not fault him. That he was indeed independent and that his honesty and integrity had prevailed, and that their complaints were never in that area other than at the beginning. So I think he felt very good about that.

DN: How did the other members of the commission feel?

CP: Oh, they felt the same way; they felt the same way. And that was an important aspect of it, because these people worked very, very hard. And they did not receive any compensation, their expenses were covered, but they did not receive compensation. I think maybe one of the later members did receive some compensation, but as a whole, they did not. And so they spent a number of years working on this issue because they cared about the issue, and I think that they all were very well respected when it was completed, because they had done a good job. The activists might not have gotten everything they wanted, but I think they realized that that commission worked very hard at attaining that goal.

DN: And how did Nestlè feel about it?

CP: I don't really know that I can answer that. The only way I could answer it is that I think that they probably did not honor the agreement as well as they could. And taking that, I assume that they were not quite as happy as everyone else was about it.

DN: When that chore, if you will, was over, what happened to Senator Muskie's law practice?

CP: Well, he obviously received a great deal of notoriety during that period, so he was asked shortly after that, or it may have even been toward the end of the NIFAC commission, to be an arbitrator in a case between Sun Oil and, I'd have to, I need to look up what the other company was. It was a company in one of the Middle Eastern countries. And he did that, he was asked to do that, and that was a very prestigious, highly noticed position for him to have. He did a lot of public policy work; he did a lot of pro bono work. As you know, during those years he worked on the Legal Needs study in Maine. He did a study for the university also, I think, for the system. He, during that period, was the chairman at the Center for National Policy. During the eighties, after Carter was defeated, there were a whole lot of disgruntled under employed Democrats, so even though the Center for National Policy was supposed to be, and is, a non partisan think tank, it was pretty much, the board were people like Stu Eisenstadt and those people who had been officials in the Carter administration. In any case, it was a very active think tank, and Cy Vance had been the very first chairman, Muskie was the second chairman, and served longer I think than any other chairman, he served for ten years. He was followed by

Kirk O'Donnell, and then Madeleine Albright. And today's chairman, I believe, is Leon Panetta, former congressman from California. So that kept him very busy, he was very involved. And it was during that period that he went to Vietnam and Cambodia. The Center produced a paper and a study on that. So he had small clients here and there, but I would say most of his days were filled with continuing to do what he had done all of his life, a great deal of public policy work.

DN: And the firm was content to have him do that?

CP: Yeah, they were. This is going off into a whole other tangent, but I think, his decision to go with Chadbourne & Parke was based upon, this is a man who was in his mid sixties and had never made any money in his life, and was very concerned about providing well for his children and for his wife when he was no longer able to work. And I believe, I know, that Chadbourne & Parke was the only law firm that offered a stipend to Jane [Muskie] upon Ed's death for the rest of her life, and that meant a great deal to him. We all knew that Chadbourne & Parke was a very conservative, rather silk stocking, Wall Street law firm, and you would know right away that that really wasn't a good fit for a northeastern rather liberal Democratic former senator and secretary of state. But it started out with all good intentions. I believe, and if Ed Muskie were sitting here today, he would say that they did not know how to treat a rock star, as they're affectionately known today. They didn't know what to do with him. He had a staff of one, me. He needed someone to help him write speeches. I could do research and edit, but I am not a speech writer. I know he went to the wall with them a couple of times on trying to let them understand that he needed to have a speech writer, or someone to help him in that area.

They would not let him do anything political, they, I mean there were things he could have done, events he could have attended, speeches he could have made. But they didn't want to use him in that way, which of course was his forte. So, they were happy when he was doing rather neutral things, but I just think that the fit that we were hoping would really work just never really came about. And he told me many times in later years that he probably had made the wrong decision, he should have gone with Berl [Bernhard], and Berl very much wanted him to join Verner, Liipfert [LLP]. And he thought in the beginning that he didn't want to lose a good friend, and he thought perhaps, you know, becoming a member of that law firm would affect his relationship and his friendship with Berl. I don't think it would have, I think it probably would have cemented it, actually, because Berl and his firm obviously would have known what to do with Ed Muskie. But that was not to be, so he had made a commitment, and he stayed with Chadbourne. There were a number of people in the firm that really appreciated him, but by and large the powers to be in New York, I think, just were corporate, anti trust, financial. I mean they were workaday attorneys who had made their money in court rooms and board rooms, and they just didn't understand what he could do for the firm, what he could bring to the firm.

DN: Now, during this period he was doing some work in the Soviet Union. Was that, and then the Russian Federation.

CP: Yes, he was. There was an effort at that time, actually Chadbourne opened an office, which is no longer open, but they opened an office in Russia. They were more interested in taking advantage of his foreign policy reputation, if you will, his having been secretary of state because that opened numerous doors for them that they could have never opened themselves,

having the former U.S. secretary of state. And the Russian pipeline energy work was one of those examples, and that's what they were working on, and that's what they were opening the office for. And I think it was successful for a year or two, but then with all of the problems in the Union falling apart in the independent states, they just did not see the value in keeping the Russian office open. The same thing happened in India. He opened an office in New Delhi, and it was open for a number of years, again doing energy work. There was just so much need in all of Europe, and certainly in Eastern Europe and Asia, and he spent a number of trips to India. And then the Indian government itself realized that foreign attorneys were making lots of money in their country, and they closed all of the foreign legal offices. You could be a foreign attorney and work for one of their law offices, but you could not have your own office, or your own name on a firm. And so that New Delhi office was closed.

DN: We're going to have to end this because of time pressure today, and we'll return to it. Thank you.

End of Interview