MASS MUTUAL LIFE INSURANCE CO. MAY 17, 1990

THE SUMMIT

O AT LAST, IN WHAT MUST BE WELCOME NEWS TO INVESTMENT COMMUNITY, THIS THE PRESIDENT'S WEEK, REPRESENTATIVES ARE MEETING WITH REPRESENTATIVES OF THE CONGRESSIONAL LEADERSHIP THE CHAIRMEN AND AND RANKING REPUBLICANS FROM THE BUDGET, APPROPRIATIONS,

A N D T A X — W R I T I N G

COMMITTEES OF CONGRESS,

TO NEGOTIATE A DEFICIT

REDUCTION PACKAGE.

O AND THESE TALKS WILL
CONTINUE AS LONG AS
PROGRESS IS BEING MADE.
WE HOPE TO HAVE A BUDGET
IN PLACE BEFORE THE

GOVERNMENT RUNS OUT OF MONEY AGAIN THIS JULY.

O NOTWITHSTANDING RECENT PRESS REPORTS, THERE ARE NO PRECONDITIONS FOR THESE TALKS. MEMBERS CAN RAISE ANY RELEVANT ISSUE WITH THE UNDERSTANDING THAT THE NEGOTIATIONS WILL BE CONDUCTED AT THE TABLE —

- NOT IN THE PRESS.

O THAT IS WHY I CALLED FOR A 'RHETORIC CEASE—FIRE' SO THAT WE CAN FOCUS ON THE TASK AT HAND, RATHER THAN THE NOVEMBER ELECTIONS.

THE BUDGET PROCESS

O I HAVE ALWAYS BELIEVED THAT
A PRESIDENT'S BEST CHANCE
TO ENACT TOUGH PROGRAMS,

LIKE THE FLEXIBLE FREEZE, COMES IN THE FIRST YEAR OF HIS TERM. BY THE SECOND YEAR, CONGRESS PREPARING FOR THE MID-TERM ELECTIONS, AND OUR TWO-YEAR PRESIDENTIAL CAMPAIGN SEEMS TO BEGIN AS SOON AS THOSE POLLS CLOSE.

O UNFORTUNATELY, AS YOU KNOW, LAST YEAR BASICALLY TOOK A WALK ON THE DEFICIT. WE SPENT 10 MONTHS AND DEVOTED OVER 60% OF OUR ROLL CALL VOTES IN THE SENATE REDUCE THE DEFICIT BY ONLY \$16 BILLION. AND WE NEEDED FOUR MONTHS OF SEQUESTER TO DO EVEN THAT.

O FOR 1991, WE WILL NEED \$50
BILLION —— MORE THAN THREE
TIMES AS MUCH. AND
ALREADY A HOUSE COMMITTEE
HAS VOTED TO
DOUBLE THE COST OF THE 1991
FARM BILL!

O MEANWHILE, INTEREST ON OUR
NATIONAL DEBT IS

APPROACHING \$200 BILLION A
YEAR, TWICE AS MUCH AS THE
ENTIRE FEDERAL BUDGET WHEN
I WAS FIRST ELECTED TO
CONGRESS.

O THAT IS WHY I HAVE CALLED
THE DEFICIT 'PUBLIC ENEMY
NUMBER ONE'. AND THAT IS
WHY I BELIEVE THE AMERICAN
PEOPLE ARE READY TO ACCEPT

SACRIFICES TO ACHIEVE REAL DEFICIT REDUCTION --FOR THE SAKE OF THEIR CHILDREN AND THEIR GRANDCHILDREN. HAVE SPOKEN TO HIGH SCHOOL STUDENTS WHO ARE CONCERNED ABOUT THE DEFICIT. THEY RECOGNIZE THAT THEY WILL BE HANDED THE BILL, AND THEY WANT LEADERSHIP NOW. THEY WANT US TO MAKE THE TOUGH CHOICES.

GRAMM-RUDMAN

O IN ADDITION TO REDUCING
OUR DEFICIT, WE ALSO NEED
TO REFORM THE CURRENT
BUDGET PROCESS. WE
CANNOT AFFORD TO
ABANDON A REGIME LIKE

GRAMM-RUDMAN-HOLLINGS WHICH IMPOSES MANDATORY SPENDING RESTRAINTS ON BUT WE ALSO CONGRESS. TO INVOLVE THE NEED ELIMINATING PRESIDENT IN WASTE IN CONGRESSIONAL PROGRAMS WITH A LINE ITEM OR RECISSION VFTO AUTHORITY.

O AND WE NEED A TWO YEAR
BUDGET CYCLE SO THAT
CONGRESS CAN DEVOTE TIME
TO OTHER NATIONAL
PRIORITIES.

CAPITAL GAINS

O CAPITAL GAINS IS ALSO HIGH
ON THE PRESIDENT'S PRIORITY
LIST. AND IT HAS THE
SUPPORT OF A MAJORITY IN

BOTH THE HOUSE AND SENATE. SO WHILE THE PRICE FOR CAPITAL GAINS RELIEF IN THE SENATE MAY BE A FAMILY SAVINGS INCENTIVE, PROPOSED BY THE PRESIDENT. OR AN EXPANDED IRA, AS BY SENATOR PROPOSED BENTSEN, I BELIEVE THAT SOME CAPITAL GAINS RELIEF WILL PASS THIS YEAR.

HEALTH CARE: CONTINUING CRISIS O FEW WOULD TAKE ISSUE WITH THE VIEW THAT HEALTH CARE DELIVERY IN THE U.S. NEEDS BIG CHANGES. COST, ACCESS QUALITY CONCERNS AND GROW MORE WORRISOME EACH DAY. IN 1990 WE WILL SPEND ABOUT \$2 BILLION

DOLLARS A DAY ON HEALTH CARE. YET WE CONTINUE TO LAG BEHIND JAPAN, ENGLAND, CANADA, AND OTHER INDUSTRIALIZED COUNTRIES WHEN IT COMES TO INFANT MORTALITY AND LIFE EXPECTANCY. BUT SIMPLY POURING MORE MONEY ON THE PROBLEM IS NOT THE

ANSWER.

O THERE IS SURPRISINGLY LITTLE
DISAGREEMENT OVER THE
EXTENT OF THE PROBLEM. THE
ARGUMENT COMES OVER
WHAT TO PROVIDE, WHAT THE
SOURCE OF THE COVERAGE
SHOULD BE, AND FINALLY, WHO
SHOULD FOOT THE BILL.

LITTLE NEW UNDER THE SUN O THESE ISSUES ARE NOT NEW. THE BATTLE OVER NATIONAL HEALTH INSURANCE HAS BEEN WAXING AND WANING FOR YEARS. BUT I WILL ADMIT THE ENVIRONMENT DOES SEEM TO HAVE CHANGED. MANY BUSINESS GROUPS WHO HAVE TRADITIONALLY FOUGHT THE CONCEPT OF A NATIONALIZED HEALTH SYSTEM —— ARE SUDDENLY PRESSING FOR JUST SUCH A SYSTEM.

O BUT EVEN THE MOST STRIDENT
OF SUPPORTERS WILL ADMIT
THAT WHAT THEY MEAN BY
NATIONAL HEALTH INSURANCE
—— IS NOT THE FULLY
FEDERALIZED SYSTEM OF OLD

-- BUT RATHER A MIX OF THE PUBLIC AND PRIVATE SECTORS. O ATTEMPTS TO EMBRACE THE CANADIAN OR BRITISH HEALTH CARE SYSTEMS HAVE MET WITH FAIR AMOUNT Α SKEPTICISM. WHAT IS MUCH MORE LIKELY, IN MY VIEW, IS CONTINUATION OF THE PUBLIC/PRIVATE EXISTING

COMBINATION. ANY IMPROVEMENTS IN THE NEAR TERM WILL BE LARGELY BUILT THIS STRUCTURE, ON SOMETHING SOME OF US HAVE PREDICTED ABOUT FOR YEARS. O IN FACT, AS FAR BACK AS 1979. I INTRODUCED A BILL KNOWN AS THE '3D' BILL -- BECAUSE OF ITS AUTHORS.

21

AND DOLE, DOMENICI WHICH DANFORTH BENEFIT FOR PROVIDED **EXPANSIONS IN MEDICARE AND** AS WELL AS MEDICAID PLACING NEW REQUIREMENTS THE EMPLOYERS. BIG ON TODAY'S DIFFERENCE FROM OUR NARROW DEBATE WAS ON CATASTROPHIC FOCUS

THINK BOTH BENEFITS --1 SENATOR MITCHELL AND I GOT THE MESSAGE CATASTROPHIC - ONLY PROTECTION LAST YEAR, AND ARE UNLIKELY TO DOWN THAT ROAD AGAIN. BUT THIS MODEL OF BUILDING ON THE EXISTING PROGRAMS. AND USING MEDICAID AND

EMPLOYMENT—BASED
INSURANCE, IS ONE THAT I
FAVOR.

PART OF THE ANSWER

O ONE OF THE SUCCESS STORIES

OF THE PAST HAS BEEN THE

AVAILABILITY OF EMPLOYMENT

MANY EMPLOYERS,

BASED HEALTH INSURANCE.

24

PARTICULARLY LARGE EMPLOYERS, HAVE DONE A TERRIFIC JOB OF PROVIDING BENEFITS TO EMPLOYEES AND THEIR FAMILY MEMBERS; BUT THAT GOOD SITUATION IS CHANGING. THERE HAS CLEARLY BEEN AN EROSION IN COVERAGE IN RECENT YEARS. O WE KNOW FOR A FACT THAT

THE LARGE NUMBER OF 37 MILLION UNINSURED ARE WORKING OR ARE DEPENDENTS AN EMPLOYED FAMILY OF MEMBER. THE REASONS FOR THIS ARE MANY: TOUGH ECONOMIC TIMES FOR EMPLOYERS; INCREASING INSURANCE PREMIUMS THAT SOME EMPLOYEES OR SMALL BUSINESS CANNOT AFFORD, OR INELIGIBILITY FOR COVERAGE BECAUSE THE EMPLOYEE IS A PART TIME EMPLOYEE IS CONSIDERED HIGH RISK.

O WHATEVER THE REASONS FOR
THE DECLINE IN COVERAGE, WE
MUST REVERSE THE TREND. IN
MY VIEW, STRENGTHENING
PRIVATE, EMPLOYER BASED

COVERAGE WILL BE CRITICAL TO OUR EFFORTS TO FILL IN THE GAPS.

O OUR GOAL SHOULD BE TO MAXIMIZE COVERAGE WITH A MINIMUM NEGATIVE IMPACT ON EMPLOYMENT RATES, PARTICULARLY AMONG SMALL BUSINESS. SOME WOULD PROPOSE THAT WE SIMPLY

MANDATE THAT EMPLOYERS PROVIDE COVERAGE SYSTEM PREFER A INCENTIVES. THE LAST THING THE AMERICAN PEOPLE NEED AND THE LAST THING AMERICAN BUSINESS NEEDS IS MORE FEDERAL MANDATES. IN A MISGUIDED ATTEMPT PROTECT TO

EMPLOYEES FROM HEALTH CARE CATASTROPHES, CONGRESS COULD VERY WELL PUT JOBS AT STAKE BY CREATING SERIOUS FINANCIAL DIFFICULTIES FOR EMPLOYERS. O WE MUST ALSO BE ALERT TO THE FACT THAT EMPLOYER INCENTIVES, PARTICULARLY THOSE THAT TAKE ADVANTAGE OF TAX CREDITS, ARE NOT FREE. SOMEONE IS PAYING -AND ITS THE TAXPAYER. GIVEN OUR CURRENT BUDGET CRISIS, NEW TAX EXPENDITURES, WITHOUT OFFSETS ARE UNLIKELY TO BE CONSIDERED VERY SERIOUSLY REGARDLESS OF HOW WORTHY THEIR PURPOSE.

TIME FOR STUDY AND DEBATE O BUT WITHOUT UNDER-ESTIMATING THE DIFFICULTIES BEFORE US ON THE BUDGET, I HOPEFUL AM NONETHELESS THAT WE CAN HAVE SERIOUS DEBATE ON QUESTION OF ACCESS TO HEALTH CARE. THE WORK OF THE PEPPER COMMISSION, AND THAT OF THE STEELMAN GROUP, SECRETARY SULLIVAN'S TASK FORCE, AND THE LABOR DEPARTMENT TASK FORCE, SHOULD PROVIDE US WITH A GREAT DEAL OF USEFUL INFORMATION.

PARENTAL LEAVE/OTHER EMPLOYER MANDATES O THIS MONTH THE HOUSE APPROVED THE PARENTAL LEAVE BILL BY A VOTE OF 237 TO 187 —— NOT ENOUGH VOTES TO OVERRIDE THE PRESIDENT'S THREATENED VETO.

TO SEE THE SENATE BILL ON PARENTAL LEAVE COME UP FOR FLOOR ACTION IN THE NEAR FUTURE. I HEAR SENATOR DODD IS OUT THERE CHECKING HIS VOTES RIGHT NOW.

O WHILE I DO NOT OPPOSE

MEDICAL AND PARENTAL LEAVE

35

PROGRAMS, I DO NOT THINK THE FEDERAL GOVERNMENT SHOULD BE MANDATING THAT ALL EMPLOYERS PROVIDE IT. O THE PROGRAM IS EXPENSIVE AND WE ALL KNOW THAT LEGISLATION LIKE THIS DOES NOT MAKE THE PIE ANY BIGGER. IT JUST FORCES A REALLOCATION OF

RESOURCES FROM ONE AREA
TO ANOTHER.

O ALL EMPLOYEES AND GROUPS
OF EMPLOYEES HAVE DIFFERENT
PRIORITIES —— FOR YOUNGER
WORKERS IT MIGHT BE CHILD
CARE; FOR OLDER WORKERS IT
MIGHT BE PENSION SECURITY
AND BENEFITS.

O BY MANDATING BENEFITS SUCH AS PARENTAL LEAVE, THE FEDERAL GOVERNMENT WOULD BE PREEMPTING THE RIGHT AND ABILITY OF THE EMPLOYER AND EMPLOYEE TO NEGOTIATE THE BENEFIT PACKAGE THAT BEST FITS THEIR RESPECTIVE NEEDS. IN MY OPINION, THIS DOES NOT DO ANYONE ANY GOOD.

OLDER WORKERS PROTECTION ACT/BETTS DECISION

O I WOULD NOT BE SURPRISED
TO SEE S. 1511 WHICH, AMONG
OTHER THINGS, REVERSES THE
SUPREME COURT'S JUNE 1989
BETTS DECISION COME UP FOR
FLOOR ACTION IN THE NEAR

FUTURE.

O WHILE THERE IS AGREEMENT THAT EMPLOYERS SHOULD NOT BE ALLOWED TO DISCRIMINATE AGAINST OLDER WORKERS IN THE EMPLOYEE BENEFITS AREA, THIS AND TO **FXTFNT** LEGISLATION MAY BE NEEDED TO OVERTURN THE BETTS DECISION, S. 1511 GOES WELL

BEYOND ITS ORIGINAL GOAL AND HAS BECOME A VEHICLE FOR IMPLEMENTING SIGNIFICANT CHANGES WITH RESPECT TO THE USE OF EARLY RETIREMENT INCENTIVE PROGRAMS AND THE INTEGRATION AND COORDINATION OF EMPLOYEE BENEFIT PROGRAMS.

41

O THE STORY IS THE SAME: THE BILL DOES NOT CREATE A BIGGER PIE IT SIMPLY FORCES REALLOCATION Α RESOURCES FROM YOUNGER WORKERS TO OLDER WORKERS. O THIS IS NOT THE ROLE THE FEDERAL GOVERNMENT SHOULD BE PLAYING AND THIS NEEDS A LOT OF WORK

42

BEFORE IT WOULD BE ACCEPTABLE TO A NUMBER OF MY COLLEAGUES.

CONCLUSION

O BECAUSE THIS IS AN ELECTION
YEAR, BI-PARTISAN
COOPERATION IN THE
CONGRESS MAY BECOME
MORE AND MORE DIFFICULT.
NEVERTHELESS, I BELIEVE THAT

WE WILL FINALLY AGREE ON WHAT I HAVE CALLED THE FIVE C'S: CLEAN AIR, CHILD CARE, CAMPAIGN FINANCE REFORM. CRIME PACKAGE, AND SOME FORM OF CAPITAL GAINS RELIEF. HOWEVER, AS ALWAYS, THE SERIOUS DEBATE ON THE DEFICIT AND BUDGET PROCESS WILL

44

CONTINUE TO DOMINATE OUR
AGENDA UNTIL BOTH
CONGRESS AND THE PRESIDENT
FACE UP TO THE TOUGH
CHOICES.
O THANK YOU.

MAY 15, 1990

TO:

SENATOR DOLE

FROM:

CAROLYN SEELY

SUBJECT:

SPEECH TO MASS MUTUAL -- UPDATE ON INSURANCE COMPANY

TAX TREATMENT

Life Companies. As you know, the Oversight Subcommittee of the Committee on Ways & Means is reviewing options for reform of the taxation of life insurance companies. There is general agreement that the proxy tax on mutual companies (Section 809) does not work and should be repealed. (Section 809 imposes an add-on tax on mutual life insurance companies based on the earnings of the stock company sector.) The issue is what type of replacement provision to enact to replace the revenue lost from Section 809 repeal, and in particular, whether only mutual companies or all life companies should make up this revenue.

Unlike stock companies, mutual companies do not have stockholders; their equity is supplied by policyholders. Under current law, policyholder dividends are deductible; whereas, stockholder dividends are not. The debate centers on whether this is an unfair advantage. In theory apart from Section 809, mutual companies could set dividend payments high enough to eliminate any tax liability, and indeed, the mutual sector pays less tax, \$800 million, than stock companies, which pay \$2 billion on equivalent assets.

The mutual companies have advanced a "prepayment analysis" (developed at Yale by Mike Graetz, who is now Deputy Assistant Secretary for Tax Policy) which has just received the endorsement of the GAO. It claims that mutual company equity has already been subject to taxation as premium income; whereas, stock company capital contributions went untaxed. Therefore, the different tax treatment of dividends is appropriate. (However, since most mutual companies were established when the insurance industry paid average tax rates of 4 or 5%, any prepayment was arguably inadequate.) Obviously, the stock companies dispute the entire concept.

Alternatives to Section 809 are: a limitation on the deductibility of policyholder dividends (affecting primarily mutual companies, but also stock companies which now write so-called participating policies); a low rate (1%) tax on all insurance company investment income (Treasury proposal); a revised Section 809 based on the deemed equity of each mutual company, and (unrelated to 809) amortization of deferred acquisition costs (the Downey proposal) which raises substantial revenue and hurts agents as well as companies.

Life Products. The Administration may also propose some limitation on the favorable tax treatment of annuity products so that these products are not more tax-favored than the President's family savings accounts. There is also talk of curtailing the benefits of corporate-owned life insurance policies, particularly with respect to policyholder loans.

Joyce

MassMutual WASHINGTON SYMPOSIUM
Wednesday, May 16, 1990
Program: Room 192 Dirsen Senate Office Building
2:30 p.m.-5:00 p.m.

Reception: Gold Room, 2168 Rayburn House Office Building Beginning at 5:00 p.m.

David S. Aldridge

David C. Barnes

Martin S. Belz

John L. Boss

Stephen R. Bosworth

James H. Britton

William J. Burton

Donald T. Calvert

Elaine Ciccarello

William E. Collins

Marlene Cordes

William B. Crandall

Lynn M. Cronin

Michael J. Daly

Sharon M. Davidson

James R. DeMarco

Thomas W. Elliott

Ellen Wilkins Ellis

copy to Carolyn

MassMutual Washington Symposium Wednesday, May 16, 1990 Page No. 2

Robert C. Falkenberg

Thomas S. Farro

Thomas Finn

Stephen R. Fleischer

Margaret Flickinger

Michael G. Gallagher

David M. Garratt

Dan Gilroy

Michael Gomez

Barry Gottehrer

Richard C. Griggs

Thomas E. Grunert

Martin D. Guyer

Mohamad Ali Hakimian

Ronal Hall

James Hargadon

Charles T. Haseltine

Walter G. Hiltz

Daniel L. Hindman

James L. Horobetz

James C. Hoover

Scott S. Jacobs

Peter James

Scott James

MassMutual Washington Symposium Wednesday, May 16, 1990 Page No. 3

John F. Jonas

John D. Kelley

Richard H. Kelley

James L. Kemp

Martha M. Kendrick

Karen A. Kent

Jeffrey J. Kirk

Charles K. Kovach

Mitchell J. Kupperman

Stanley I. Kusiak

Richard A. Labine

Stephen A. Lacoff

Richard J. Leonard

Thomas S. McIlwain

James E. Miller

Robert F. Moran

Robert O. Nelson

Paul E. Neuhart

Kevin M. O'Melia

Richard E. Onofrey

Bruce A. Peterson

Joan Prager

Joseph M. Quinn, Jr.

Maria A. Rizzo

MassMutual Washington Symposium Wednesday, May 16, 1990 Page No. 4

Gary W. Roth

James G. Ryan

Scott A. Samuels

Bobette Sears

Ms. Leslie Soforenko

James M. Sokol

Michael J. Sullivan

Allen G. Ten Broek

Richard A. Travers

Raymond E. Tuwalski

Neil Waldron

Carolyn Weaver

Robert F. Welch

Thomas B. Wheeler

Stuart Zalowitz

This document is from the collections at the Dole Archives, University of Kansas http://dolearchives.ku.edu May 16 James E. Miller Executive Vice President Group Life & Health Division 50-192 March 7, 1990 The Honorable Robert Dole United States Senate SH-141 Hart Senate Office Building Washington, D.C. 20510-1601 Dear Senator Dole: On May 16, 1990, Massachusetts Mutual Life Insurance Company will host a conference on the Hill involving approximately fifty to seventy-five key company health clients, brokers and consultants. This audience will include a select group of senior benefits officers representing a cross section of MassMutual's larger clients nationwide as well as individuals who service the company's major accounts. We believe attendees will bring the unique perspective of small to mid-size regional employers of up to 1,000 individuals. We are writing to seek your participation in this event. Specifically, we would hope you would be able to be our Opening Speaker. This group of business representatives will be keenly interested in your Washington forecasts about tax, employee benefits and health legislative initiatives under consideration in Congress this year. The conference will be held in Room 192 of the Dirksen Senate Office Building. Ideally, we would like you to speak at 2:30 p.m. for approximately twenty minutes. We also invite your participation in a cocktail reception, if at all possible, immediately following the conference from 5:00 p.m. to 7:00 p.m. in The Gold Room, 2168 Rayburn House Office Building. Contact Surrije for Jean 1730-6051 3-31-90 Interin tr. 4-6-90 confirmed Sens. O.K. to [Ean Massachusetts Mutual Life Insurance Company Springfield, MA 01111-0001

Page 52 of 54

This conference is extremely important to MassMutual, and we hope we can count on your participation. Barry Gottehrer, our Senior Vice President, will be telephoning you to follow-up on this request.

Your insights would be most valuable to this group and we very much hope you will be able to participate. Thank you for your consideration.

Sincerely,

bames E. Miller

cc: Sheila Burke

413/130-6051 OFFICE OF THE REPUBLICAN LEADER
WASHINGTON group of 100 mel. top insurance people in health a employee benefite semenar Hel room in Capital forces (net life tid gear or 2000) 2-1:00 2:30 = 5:00 pm = would like Sen. to be opluing sphr. -- just welcome group Jay Korhefellin will speak a top staff people