

And one more thing on this social side that I think is very important. Five years ago we did not even know about this topic, but we know as a Nation about it today. It is partial-birth abortions. And if you start looking at America and where we are today and where we are going to, if we turn our back on this issue, I do not see how we can solve the rest of the social issues facing our Nation.

A partial-birth abortion is a third trimester, seventh, eighth or ninth month abortion where the baby is literally partially delivered and then at the last second the baby is killed. I just do not understand how we as a Nation can go on allowing this to happen now that we know about it. Frankly, when I was elected I did not know what it was, but I know now. And when you start looking at these social ills facing America, I think we have to accept that that is part of the problem facing our country, and I think we need to end it.

I have got about a minute and a half left, and I would just like to kind of sum up this kind of vision for where we are going to. If you like, a Republican vision for the future of this great Nation that we live in. How are we going to go about restoring this Nation?

Let me go through on the economic side first very quickly. Restore the Social Security system so our seniors can get up in the morning knowing their Social Security is safe. I think every senior is entitled to that. The debt. Our children deserve a debt-free Nation, so let us start making payments on the debt much like you would repay a home mortgage. Taxes are too high on our families all across America, so let us get that tax rate back down from \$37 dollars out of every \$100, at least down to \$25 out of every \$100 that American workers work so hard to earn.

On the social side, let us get education, let us make that our top priority. Let us get education back up to number one in the world, and do this by involving the parents and giving parents the opportunity to choose where their kids go to school, what it is they are taught and how they are taught it. And when the parents get involved in the kids' lives, making those decisions about education, the automatic outcome is that extra parental involvement in the kid's life, that leads to lower crime rates, fewer drug problems, fewer teen pregnancies and less teen smoking.

This is the right direction to move America, and while we are done with this, let us make sure we end partial-birth abortions. And let us then pass this vision on to the next generation and this great Nation we live in.

Mr. GUTKNECHT. If the gentleman will yield, finally what you are really saying is what Vaclav Havel, the first freely elected Prime Minister of Czechoslovakia, said shortly after he was elected. He said in the end all politics is moral.

Balancing the budget, saving Medicare, saving Social Security and stop-

ping partial-birth abortions in many respects are all about regaining some of that high moral ground, and if you ask Americans what is really wrong in this country, they will many times say it is the unraveling of the moral fabric of this country. And so all of the things we have talked about tonight really, at the end of the day, are about morality.

THE TOBACCO AGREEMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, tonight I want to talk about the tobacco agreement, which of course has been much in the news lately, particularly during the last 2 weeks when Congress was not in session.

As everyone knows I think by now, during the congressional recess the tobacco companies pulled out of the agreement and have essentially refused to do any future negotiation at this point on the agreement. And I think the reason they did that is because they did not like the looks of what was developing here in Congress, and basically have declared war on all legislation that does not have their blessing.

In his April 8 announcement that his company was pulling out of the agreement, RJR Nabisco CEO Stephen F. Goldstone declared, and I quote, that the legislative process as far as tobacco is concerned is broken beyond repair.

Well, Mr. Speaker, I think this declaration is wrong and it is also rather arrogant. Congress does not need and I do not believe will wait for the tobacco industry to pass legislation to protect our children. Even the Republicans I think would agree with me on that.

But what the Republicans cannot agree on and I am particularly talking about the Republican leadership, is what form tobacco legislation should take here in Congress, and particularly in the House. Big tobacco dollars have produced a fissure in the Republican Party on how to approach tobacco legislation.

Senator JOHN MCCAIN, as I think many of us know, authored legislation that was approved recently by the Senate Commerce Committee by a 19 to 1 vote, very lopsided. The Senator's bill, while not as strong as measures that are being pushed by Democrats here in the House and also in the Senate, is at least a step in the right direction, and I want to commend him for that.

Among other things his bill generates \$516 billion from the tobacco industry over 25 years, and it would raise the price of cigarettes by \$1.10 over 5 years, strengthen Federal regulation of tobacco products, and impose penalties on the tobacco companies if teen smoking rates do not decline in the coming years. And this is bitterly, this legislation by Senator MCCAIN is bitterly opposed by the tobacco industry, and

after a lot of twisting, turning and flip-flopping has also been now opposed by Speaker GINGRICH as well.

□ 2000

Yesterday's New York Times, I thought, was very interesting in recounting Speaker GINGRICH's history on tobacco since the GOP took control of the House of Representatives in 1994. The Speaker's comments on tobacco reported in the Times, the Times said in its editorial that the Speaker has been "a model of inconsistency."

I just want to read from the article that was in the New York Times, because I think it clearly illustrates whose side Speaker GINGRICH is on.

"Shortly after Republicans won control of Congress in 1994," the article says, "Mr. GINGRICH announced that his party would end an investigation of the tobacco industry that had begun under the Democrats. Mr. GINGRICH called David A. Kessler, then Commissioner of the Food and Drug Administration and the leading spokesman of the antismoking forces, a thug and a bully." This is what the Speaker said about Mr. Kessler.

I would like to point out that since that time, a steady stream of documents concerning the marketing of cigarettes towards children and the deliberate manipulation of nicotine have been flowing from the tobacco industry. The recent release of 39,000 documents in the Minnesota case will surely bring more disturbing revelations.

A lot of this has come up in the Committee on Commerce that I am a member of, and it has been reported on a bipartisan basis. So the notion that Mr. Kessler was wrong in being critical of the tobacco industry, I think, now has been totally repudiated. Clearly, Mr. Kessler was right, and there is no question that the industry was targeting children and deliberately manipulating both its marketing as well as the statements it was making about nicotine and the negative aspects of nicotine.

Continuing again in yesterday's New York Times article, it reports that early this year, after a 2-day Republican Party retreat, Mr. GINGRICH would say nothing about his position on tobacco legislation except that reducing teenage smoking was important and that lawmakers needed to be careful to avoid a contraband market in cigarettes. But a few weeks later, Mr. GINGRICH said there was no sentiment for in any way eliciting favorably to the tobacco companies.

Then, as we go on with Mr. GINGRICH's flip-flopping and changing his position, in a speech to the American Medical Association about a month ago, this was before our Congressional recess, he called for tough and sweeping tobacco legislation. In March, the Washington Post reported that Mr. GINGRICH had warned tobacco lobbyists that he would not allow Democrats "to get to the left of me on tobacco legislation."

Now, of course, this past weekend, most recently, the Speaker completely

reversed himself again. In words that could have been scripted by the tobacco companies themselves, Mr. GINGRICH stated that the McCain bill was "a very liberal, big government, big bureaucracy bill."

Mr. GINGRICH, who apparently is unaware that the bill was approved by the Senate Committee on Commerce by a 19 to 1 vote, also commented that the bill would be very hard to get through Congress.

Well, the only reason it is going to be very hard to get through Congress is because he and the other Republicans in the leadership will not allow it to get through, because, obviously, the Members on the Senate Commerce Committee overwhelmingly voted for the bill.

I yield to my colleague from Texas (Mr. DOGGETT). I would like to point out that my colleague has been in the forefront on this issue, particularly with regard to the all-important issue of not allowing the tobacco companies to start marketing overseas to children.

I am very afraid, as I know the gentleman is, that even when we pass legislation to stop teenage smoking or cut back on it, that if we do not do something in that legislation about marketing overseas, they will simply expand their operations overseas. I want to commend the gentleman.

Mr. DOGGETT. That is a concern. They wanted to give Joe Camel a passport. They have already given him one really and taken him around to addict other people's children on nicotine, just as these nicotine peddlers have addicted our children in too many cases across America.

I would reflect on some of the points the gentleman just made. I think this is important to put this in an important historical setting, and to recognize that experts that we turn to now, experts that were appointed, indeed, by Republican Presidents like Mr. Kessler, Dr. Kessler, in fact, now up at Yale, we turned to him for expertise on these subjects. A person that Speaker GINGRICH labeled a thug; as you referenced, the kind of rhetoric that unfortunately has too often characterized debates in this House.

To now suggest, and I read the same article about his comments, that the approach that the Republicans, I believe all of the Republicans on the Senate Committee on Commerce endorsed, was too liberal, is an indication of how really extreme and controlled by the tobacco lobby the leadership of this House is.

I know the gentleman from New Jersey shares my view that what we need with reference to tobacco is a genuinely conservative approach. We need to place the emphasis on conserving the health of our children, and the rejection of what is really a fairly modest step by the Senate Committee on Commerce, a step that leaves many deficiencies, as has been pointed out with reference to international tobacco, with reference to many other issues.

I think the House could improve on the steps that are important, but lacking, that Senator MCCAIN has taken, to simply condemn them and the work of Republicans and Democrats alike as too liberal, and say we need a conservative approach. While I agree with the conservative part, but the only thing liberal I have seen in this bill is the way the tobacco companies have liberally circulated campaign contributions all around this Capitol.

In fact, the gentleman from New Jersey will remember when I first got here, we had Republican leadership people passing out checks from the tobacco companies right here on this floor in such a grievous offense of the dignity of this House that they had to finally come back and pass a rule to keep themselves from doing this kind of errand running for the tobacco industry.

So I think that as important as it is to ask the tobacco companies to voluntarily restrict their advertising, so much of this is linked to the campaign finance problems that the gentleman from New Jersey and I have worked on also, and knowing that if the tobacco companies would voluntarily restrict their campaign contributions, we probably would not need to be here tonight. We would not have 3,000 children tomorrow in America becoming addicted to nicotine because of the failure to act on restrictions with regard to tobacco. Rather, we could be moving on to other issues.

Does not the gentleman from New Jersey, indeed, feel that this whole issue of tobacco is just another part of our effort to put families and children first in America like with child care and education? That this is a leading public health menace to our children, and that that is the center of this debate, rather than putting these labels on it?

Mr. PALLONE. I absolutely agree. Not that we like to throw around statistics, but there were some very good statistics that were put out by the Campaign for Tobacco-Free Kids about tobacco use among youth. If I could just mention them to give us an idea, right now, this is a very detailed survey they did that showed that 4.1 million kids age 12 to 17 are current smokers, and that smoking among high school seniors is at a 19-year high, 36.9 percent.

Since 1991, past-month smoking has increased by 35 percent among eighth graders and 43 percent among tenth graders. Basically, more than 5 million children under the age of 18 alive today will die from smoking-related disease unless current rates are reversed.

This is an epidemic getting bigger. I think a lot of people think youth smoking has gone down. It hasn't. It has actually increased.

Not too much more here, but 45 percent of white high school boys report past-month use of tobacco; 20 percent of boys in grades 9 through 12 report past-month smokeless tobacco. Smok-

ing by African-American high school boys increased from 14.1 percent in 1991 to 27.8 percent in 1995. Of course, we know that almost 90 percent of adult smokers begin at or before age 18. So if they start before they are 18, then they are basically the smokers who become the adult smokers of tomorrow. So this is something that has to be addressed.

Mr. DOGGETT. I know the gentleman is aware, after years of denying, I think really flat out lying about their attempts to hook children, we now know through the documents that the judges are forcing these tobacco companies to reveal to the public, after they get every big bucks lawyer in the country to go to every court of appeal and do everything they can to keep those documents secret, the documents are finally becoming to come out to show, as we found out in the State of Texas, they are targeting kids in elementary school to try to find out what would be the most effective way to hook them to nicotine. And once hooked, like to any other dangerous lethal drugs, many of these children are unable to leave the nicotine habit, and that has a tremendous effect on, really, as the gentleman described it, a public health epidemic in this country.

Mr. PALLONE. There is also a direct relationship between the amount of advertising that the company does and the percentage of the youth market that they end up with. Again, from the Campaign for Tobacco-Free Kids, 86 percent of kids who smoke prefer Marlboro, Camel and Newport, which are the three most heavily advertised brands, and Marlboro, the most heavily advertised, constitutes almost 60 percent of the youth market, but about 25 percent of the adult market.

So there is no question that this advertising is causing kids to smoke, and that there is a direct benefit from the advertising.

Mr. DOGGETT. Well, I think we know the tobacco companies would not be throwing their money away on advertising if it did not work to bring in more smokers, young smokers, to take the place of the many Americans who have died prematurely from smoking-related diseases of many types.

Just as the tobacco companies know that their campaign contributions are not being wasted, they would not be making these campaign contributions frivolously. I am sure in your history you were giving to put in perspective this now refusal to move forward in the House on reasonable public health measures to protect our children, you are probably going to cover what happened just last year when two tobacco companies were the Number 1 and the Number 2 soft money contributors to the Republican Party, and then right after they set their record of contributions, the next month, along comes this secret \$50 billion tax break.

We, in a way, have already begun to take up the tobacco settlement issues. It is just that Speaker GINGRICH and the Republican leadership thought the

first issue that ought to come up was not protecting our children, but protecting the tobacco companies by giving them a \$50 billion tax break, which when it became public, they were so ashamed of, they snuck out here and repealed it last year, as you will recall.

Mr. PALLONE. One of the biggest concerns I have, and, again, I started tonight as you did saying at least Senator MCCAIN is moving in the right direction, but the liability issue is a great concern. If you look at the original proposal that the tobacco companies put forward, they had basically eliminated most of their liability.

The McCain bill doesn't go far enough, I think, and is still basically excluding them from a lot of liability. I am very concerned about a settlement that goes too far in that direction.

Mr. DOGGETT. I certainly share that concern. I believe that is one of the areas that we could make significant improvements on the work that the bipartisan group there in the Senate has begun. They have begun the work; they have moved in the right direction, but they haven't done quite enough to protect the public health of our children.

To say to an industry in this country, of all the industries that we could turn to and give some kind of special protection and say we won't hold them accountable, we will not hold them personally responsible for their deviousness, for their criminal misconduct, to say that, as is suggested by this limitation on their civil liability for these malicious acts that they have engaged in, would be to reward them for decades of abuse in creating the largest cause of preventable death in America today. And what would that say to other industries? That the worse you are, the more legal protection the Congress of the United States is going to give out?

I think it would be a signal far beyond this tobacco industry's misconduct that could have untold consequences in other areas of our life here in America.

Mr. PALLONE. The gentleman has already said it, but to repeat it again, clearly what happened here politically is that Senator MCCAIN, who is a Republican, put forth a real effort to try to move something that he felt could be adopted in the Senate and ultimately in the House, too, I think, on a bipartisan basis. That happened, of course, just before our recess.

The Speaker, Speaker GINGRICH, obviously was very scared by that, because it showed that there was support within his own party for moving legislation that the tobacco industry did not want. So I think what we saw last weekend was his effort to say, look, tobacco, I am not going to let this happen. I am going to put a stop to it. You keep having that money flow to us, and this Republican Party is not going to allow this type of legislation to move forward.

That is what we face now, and I think that is what we are going to face for

the rest of the year from this Republican leadership, unless we force their hand.

Mr. DOGGETT. I think that is right. He affirmed the same viewpoint to reflect back on his early tenure in the office of Speaker that the gentleman referred to out of the article at the beginning of his remarks, when he put a stop. We could have been moving on this and obtained some of this information months ago. Thousands of deaths ago we could have acted on this measure. But the Speaker put a stop to the investigation that was going on in the House Committee on Commerce of the misconduct of the tobacco industry.

Had it not been for vigorous action in the private sector to point out the abuse and misconduct of the tobacco industry, we would not be to this point.

□ 2015

Now it is a question of whether the Speaker can be a continued roadblock. He has been successful. I will have to give him credit where credit is due. He has managed to destroy thus far our efforts to reform the campaign finance system, blocking it in a most devious form. But whether the American people will tolerate that remains to be seen. We have our discharge petition moving along on campaign finance.

Now to add to that insult further injury by permitting the Republican leadership to block us from moving forward to deal with the problems that our young people face here and abroad with reference to nicotine addiction would be a terrible wrong. I think it is a wrong clearly that that overwhelming vote in the Senate Committee on Commerce indicates that Members, Republican and Democrat in that body, will not tolerate.

I think if the American people hear about this enough, they are going to be speaking about it to their Members, Republican and Democrat alike, saying, you cannot go home without addressing the number one public health epidemic in America today for our young people, and that is nicotine addiction, and the fact that 3,000 new addicts will be added to the rolls every day until we are able to address this problem of youth smoking.

Mr. PALLONE. I agree. I wanted to point out, and I do not know that it needs to be pointed out, but as the gentleman knows because he has been at the meetings, the Democratic Caucus has put forward legislation. We spent about 6 months, I think, having our own hearings and meeting with people in our tobacco working group that the gentleman from California (Mr. VIC FAZIO), the chairman of our Democratic Caucus, put together, and both the gentleman and I were at many of those meetings.

The gentleman from California (Mr. FAZIO) has introduced legislation, with a lot of cosponsors on the Democratic side, and I know I am one of the cosponsors, that does not include any liability caps for the tobacco industry. It is called the Healthy Kids Act.

The legislation also calls for higher cigarette prices than the McCain bill, and of course one aspect of that that the gentleman and I have talked about a lot is some kind of limitation on the international activity of tobacco companies.

The Healthy Kids Act, the Democratic bill, includes a ban on the promotion of U.S. tobacco products abroad, and it would also require warning labels on all exported tobacco products, and fully fund international tobacco control efforts.

I cannot emphasize how important I consider control of international tobacco operations to be. I know the gentleman has introduced legislation specifically on that subject that I have cosponsored. Maybe if I could talk a little about that.

Mr. DOGGETT. Mr. Speaker, I will be expanding on this legislation this next week with a revision, including some of the provisions that have been incorporated in the Senate Committee on Commerce, but recognizing that when the tobacco companies go abroad to try to pay the penalties that they have incurred here at home, that it is just wrong for us as Americans to be projecting forth the idea that there is something American about smoking.

We see some of these billboards up in foreign countries suggesting that the western, democratic thing to do is to smoke. We see at schools, at kiosks, at clubs, we see, as the gentleman and I have been in some parts of the world, young people who look like they are barely old enough to go to elementary school passing out free cigarettes on the streets; using cigarette logos on toys, on toy cars in Buenos Aires; on arcade games in the Philippines; Marlboro labels on various kinds of children's clothes.

Those are the kinds of things that makes it pretty clear that they are targeting young people in these other countries, recognizing that many of the other countries do not even have the feeble limitations on tobacco that have existed in this country.

We now have literally a worldwide health epidemic with nicotine addiction, and I hope to expand on the action that the House considered last year, the legislation that I introduced with the gentleman's help, in addressing in a more broad form the steps we could take to reduce this worldwide epidemic, and project our role as a superpower, frankly, in a very positive way to try to improve world health.

Mr. PALLONE. I want to commend the gentleman again for his efforts in that regard, because I know the gentleman was really the first person out there in the House, and probably in the whole Congress, to pay attention to the issue.

The amazing thing about it is that it is very easy for these tobacco companies to expand now into areas of the world that were not previously open to them because of the changes that are taking place: the demise of the Soviet

Union and the countries, the former Soviet Republics, the eastern European countries that were under Russian Communist domination.

That is where the industry has targeted, because previously those governments controlled what happened more. It was a totalitarian society, and it was not possible for American companies to market tobacco. Now those countries have opened up, and they have not been prepared for the onslaught, if you will, of the tobacco industry.

It is particularly in those countries that we see this, and in others as well; India, for example. India was a very controlled economy until about 5 years ago. Now with a move towards market reforms, privatization, again, they have moved in there, because it was a previously controlled economy that is now open. So there are tremendous opportunities, and a lot of these countries just are not able. They have meager resources; they have fragile democracies, in some of the cases of the former Soviet Republics.

I was very shocked, because a couple of years ago I went to Armenia, which is a former Soviet Republic. I went into some of the poorest housing that was actually set up for refugees from the war in Karabakh, and the people had absolutely nothing. And what I would see on the walls were Marlborough posters, and the kids smoking. They had nothing, and they were smoking.

This is the insidious aspect of it, to go to these places that do not have the ability, really, to prevent or control or regulate any of this. That is what I think we are seeing. It is very tragic.

Mr. DOGGETT. Of course, I am familiar with the gentleman's leadership role on behalf of Armenia and Armenian Americans, and I am sure the gentleman has found it troubling, as he has traveled there and in some of these other former Soviet countries, that it is not only the opening up of the country economically, but there is a sense on a cultural level that there is something about smoking that connotes freedom in the western philosophy, western openness.

The tobacco companies, and I met recently with a medical director from a health unit in Moscow, apparently are using billboards to really take advantage of this whole idea that there is something western, there is something free and democratic about smoking. That is not the kind of America that I want to project to these countries as we hopefully see them turning around to a western style of open economy and open government. Rather, we should be projecting our best.

But I think all of our concern about the international aspect does come right back to this room. Was there not also some comment within the last few days questioning whether Joe Camel was somehow even related to attempts to addict children?

Mr. PALLONE. I do not think there was any question about that. I do not

know the details about what the gentleman is discussing, but there is no question in my mind about that.

Mr. DOGGETT. That the whole effort was targeted towards children?

Mr. PALLONE. No question, if we look at it. And I am very afraid that now that they have dropped the Joe Camel ads, that the new ads, I am sure the gentleman has seen some of these new Camel ads with the very bright colors and the psychedelic images. There is no question in my mind that those new ads are targeted to children as well, so this is a very difficult thing. We are challenging an industry that has the resources to do multi-million dollar campaigns to find out what works with kids, and maybe not even make it obvious to adults about what works with kids.

I know that even those new Camel ads, with all the different colors, and I cannot even describe them exactly, but there is no question that those appeal to children as well.

Mr. DOGGETT. I think that is why we need to address the issue of advertising directed to young people. They are susceptible to the many subliminal messages, the many direct messages in this advertising. I believe that one key part of the action that we need to take addresses advertising.

I know that there has been some feeling that there needed to be agreement on the part of the tobacco industry, and certainly that would be better on the advertising front in particular. But does not the gentleman agree that our responsibility as Members of Congress is not to ask what would be best for the tobacco companies, or to ask whether this is okay by them, by RJR, but that we ought to make our priority to be a conservative approach, of conserving children's health first, and seeking out the way that we can best address children's health and its protection, not how we can best protect the tobacco companies that have caused so much harm to so many Americans and people around the world?

Mr. PALLONE. No question about it. I would point out, and I do not always like to use polls, because I do not think we should be driven here necessarily by polls, but once again, as with so many issues that have been part of our Democratic agenda over this Congress, this is an issue that the American people strongly support. They want us to try to curtail youth smoking. They think it is a very important issue.

The Campaign for Tobacco-Free Kids just did a recent telephone survey, and I am not going to get into all the details, but almost all the respondents, and they had a thousand adults who were randomly surveyed, almost all of the respondents expressed concern about tobacco used by kids. A large majority believed Congress should address this issue in the next few months, in the next 6 months.

Also, there was tremendous support for the specifics with regard to cutting back on youth smoking that the Presi-

dent put forward in his tobacco proposal. He of course has not specifically said that we have to have a particular bill, but he has laid out guidelines for what we should have. That is overwhelmingly supported by the main public.

I do not even need a poll to tell me, because I know when I have my town meetings and when I meet people, as we did during this last recess, this is a very important issue for them. There is no question about it.

Mr. Speaker, the gentlewoman from Connecticut (Ms. DELAURO), who, again, has been out there, Ms. DELAURO has been out there from the beginning. She has introduced legislation to address this issue that I have cosponsored. She has been really leading the message on this issue about addressing the problems of youth smoking.

Mr. Speaker, I yield to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, I am delighted to join with my colleagues tonight. I apologize for being a little bit late to join them this evening. But this is, I think, a critical issue for this country and for this Congress.

Mr. Speaker, we have really a rather extraordinary opportunity, and I am sure the gentleman has talked about some of these things already, and I apologize for repetition. But the fact of the matter is that every single year cigarettes kill more Americans than AIDS, alcohol, car accidents, murder, suicide, illegal drugs, and fires combined. Three thousand kids start to smoke every day, a thousand of whom will die from a tobacco-related illness.

We know that 90 percent of adult smokers began at or before the age of 18. We are finding this daily, every single day, with the disclosed documents that are now in the public purview. This is what we are really grateful for, because for so many years all of this data in this material was being held in some secret place, maybe, and thank God we have a court ruling that said it should see the light of day.

Those documents prove without any doubt that the tobacco industry has meticulously studied our young people, pinpointed the most appealing way to market a product to our kids.

Again, I do not know if this was mentioned. I was particularly struck by this 1984 R.J. Reynolds marketing report. For me, it says it all. It says that young people are the only source, and this is a quote, "... the only source of replacement smokers," and that if kids "turn away from smoking, the industry must decline, just as a population which does not give birth will eventually dwindle."

The gentlemen, like I do, go to schools all the time. When the Members look at 12-year-old youngsters, middle school kids, because this is the age at which our kids are the most susceptible, and that is where the industry has focused their \$6 billion advertising

campaign, we really do look at these youngsters. They are healthy, they are bright, they are eager. They have their whole lives ahead of them.

When we look out at that audience, we see all of these qualities about these young people. What we want to do is to make sure that what we do on our jobs provides these kids with that healthy future, with that ability to become adults and to be able to take care of themselves and their families, and to lead good lives.

□ 2030

And it is interesting to note the contrast with what an R.J. Reynolds or the others that have been involved, how they view the audience, the very same audience that we are looking at. They are 12-year-olds as replacement smokers.

That is why the campaigns have been directed at this effort. And we do, I think, have a fundamental obligation, particularly with all the data, with all the information, to turn this back to focus in on underage smoking.

We have a wonderful group in the Third District in Connecticut which I represent, which we called the Kick Butts Connecticut Campaign, and they are middle school kids. These wonderful youngsters have taken upon themselves the responsibility for talking to their classmates, for going into younger grades and telling the younger kids that they should not start to smoke and what are the dangers of smoking. So we have kind of got this little army of about a hundred or so young people, middle school kids, practicing their presentations and their skits and going in with the self-confidence of talking to their peers and telling them not to smoke.

Not everyone will follow that, but a lot of those youngsters we hope will not start on this road. But the fact of the matter is that underage smoking is against the law. That is ultimately what it is about here. And we have to do two things. We have to make sure that this industry is not going to continue to peddle this product which is killing our kids. And we need to, at the same time, be able to curtail their activities and we also need to be educating our kids about the dangers of smoking.

I will say that this RJR campaign for Camel cigarettes, which as we all know about features Joe Camel, the cartoon character, by 1991 the Journal of the American Medical Association had found out that 33 percent of 3-year-olds and 91 percent of 6-year-olds could match Joe Camel to a photo of a cigarette. Ninety-eight percent of our teens correctly identified the brand when shown Joe Camel ads.

Mr. DOGGETT. Mr. Speaker, could the gentlewoman yield on that?

Ms. DELAURO. Certainly.

Mr. DOGGETT. I was wondering how the gentlewoman would react to a statement, and we have covered many of the various outrageous statements

that Speaker GINGRICH has made on the subject, but how the gentlewoman would react to a statement I understand he made this month that in order to understand what has happened with teenage smoking, this is not complicated. It has nothing to do with Joe Camel. He made that statement, apparently.

Ms. DELAURO. That is right. He did make that statement.

Mr. DOGGETT. It sounds consistent with the criticism of Dr. Kessler as a thug and some of the other comments he has made in the past.

Ms. DELAURO. Mr. Speaker, the gentleman is right. And he has had a reincarnation, which I believe has occurred primarily because I think they took him to the woodshed to talk to him about what they were going to do or not going to do in terms of financial resources, given that the tobacco industry is the single biggest source of funding to the Republican party.

And if I am correct, I would ask my colleagues to bear me out on this, it is that the Speaker was responsible for putting in a \$50 billion tax break for the cigarette companies and then when that saw the light of day, and thank God it did, we were able to pull it back.

But let me just mention about the gentleman's comment, because after Joe Camel's debut, Camel's share of smokers younger than 18 jumped from 0.5 percent to 32.8 percent. It is representing an estimated \$476 million in revenue annually.

So, quite frankly, if he knows this, then he is not telling it like it is, or he just has not done the research on the effect of Joe Camel and that advertising on our children.

Mr. DOGGETT. With that kind of money at stake, it is pretty clear why the tobacco industry can afford to lavish such giant campaign contributions on this Congress. And it is also pretty clear that the type of addiction that is at stake here is not just the addiction of our young people to nicotine, but the addiction of some of the leadership around this place to that kind of tobacco campaign money.

Mr. PALLONE. Well, the scary thing, of course, is not only what has been mentioned, but also we can be sure, I think they may have already announced it but even if they have not, we can be sure that in the next few weeks we are going to see a massive amount of money spent by the tobacco industry on trying to persuade the American people that movement on the tobacco bill is not the right thing here in this Congress.

So now that they have decided to withdraw from any further negotiations to come to an agreement on a tobacco settlement, they are simply going to go out and spend millions and millions of dollars, I do not know how much, trying to persuade the public that we should not move the bill. And I worry about the impact of that.

I still believe that the public is so disgusted because of what has hap-

pened and what they have seen the industry do and the documents that have come out over the last 6 months that they will not be swayed by this multi-million dollar advertising campaign, because they are going to certainly make their best of it. And I would hope that that ultimately does not sway a lot of Members of this body.

I know that the Republican leadership is probably glad to see that kind of campaign begin, because this way they probably figure it is some way to support their position and not to have move legislation.

Ms. DELAURO. I think it was just a few months ago when we have seen this absolute flip-flop. The Speaker made a speech to the American Medical Association and called for, quote, tough and sweeping tobacco legislation. And last week, as my colleagues have said and I am saying, we had a bill that cleared the Senate, the Committee on Commerce in the Senate.

Folks are always saying, "Why can you not do things here in a bipartisan way? Why can you not get bipartisan support for legislation and get it passed?" Well, my friends, that is a bipartisan piece of legislation that the Senate is talking about. Some of us do not think it goes far enough. It talks about a \$1.10 addition to the cost of a pack of cigarettes. My bill on the House side, Senator KENNEDY's bill on the Senate side, adds \$1.50 to a pack of cigarettes and it takes that revenue of \$20 billion a year and puts \$10 billion into health research and \$10 billion into child care.

But nevertheless, that is a bipartisan piece of legislation here and we are always talking about how we cannot come together. We have an opportunity to come together. And yet, and I heard this with my own ears on Sunday on the talk shows, the Speaker attacking this proposed bipartisan antismoking legislation. An out-and-out attack on where people have come together in recognizing that we have to do something about underage smoking, and in addition to that, that one of the keys to this is the amount that is charged for a pack of cigarettes. Senator MCCAIN is talking about \$1.10. Some of us are talking about \$1.50.

Mr. DOGGETT. Mr. Speaker, if the gentlewoman would yield, and I have seen that adopting the approach the gentlewoman has suggested, according to the Children's Defense Fund, would save almost 200,000 lives in my State of Texas alone. And I am sure the number nationally runs into the millions of young people who will not meet an untimely death if we can discourage them from becoming nicotine addicts.

Mr. PALLONE. And every survey has shown that if we significantly increase the price of a pack of cigarettes, it is going to decrease youth smoking. What I have seen is like a 10 percent increase in cigarette prices leads to like a 7 percent drop in youth smoking, so it is almost in direct relationship, the price

percentage increase versus the decrease in the percent of youth smoking.

But, my colleague from Connecticut, I mean, only the very reason why the Speaker made these statements over the weekend is because there was bipartisan legislation that was moving. And it was very easy for him while nothing was happening to say that he wanted to move legislation and it was not the Republicans' fault that it was not moving. But now that it is moving with a Republican sponsor, he has to kill it, because otherwise there will be a bipartisan consensus to pass something and that is the last thing that Speaker GINGRICH wants.

It was the movement of the McCain bill, in my opinion, that is causing the Speaker to say, whoa, we do not want anything to happen here, and he started attacking Senator MCCAIN's bill.

Ms. DELAURO. It is the last thing that his friends in the tobacco industry want. And, therefore, he has had this reversal of opinion. And it was easier to say it several months ago when this was all in the throes of talk. Now we are down to concrete business here. Now we have a piece of legislation with bipartisan support. We can move this, and it is sad.

Mr. PALLONE. It is.

Ms. DELAURO. Because we saw this same kind of effort where we had bipartisan support on campaign finance reform, and we saw what happened on this floor in the effort to thwart a vote on real campaign finance reform.

Mr. DOGGETT. And the two of course are very closely related. I think we received so many promises of when action would occur and when debate would be permitted on campaign finance. At a minimum, we ought to be offered—another broken promise here, it seems to me, from the Republican leadership—and they ought to set a firm time at which we could have a debate on the floor of this House with all of our Members present about comprehensive tobacco legislation, and let people of both parties and all political philosophies come forward with their ideas about the most comprehensive and complete way of protecting our young people.

Mr. PALLONE. I was looking again at what the President has proposed, and of course it is not a bill but he has really come out in a pretty comprehensive way in trying to address the issue of youth smoking. I do not know if we want to review that a little, but it is very important that we provide legislation that really is going to have an impact.

I think a lot of people think that: How is the Congress going to legislate cutting back on youth smoking? But the President has put forward some very specific ways to accomplish that. Of course, one has been mentioned by my colleague from Connecticut, about increasing the price of cigarettes, which is certainly a big aspect of this and will help a great deal. But if I

could just mention a few things, it will only take a minute or two.

One of the things that he would like is that the legislation should actually set targets to cut teen smoking by 30 percent in five years and 50 percent in seven years and 60 percent in 10 years, and severe financial penalties would be imposed that hold the tobacco companies accountable to meet these targets. So as we move along there is a certain amount of flexibility that we maybe could increase the price of cigarettes or do other things, this whole idea of public education and counter-advertising campaign, that the legislation would provide for a nationwide effort to essentially deglamorize tobacco.

If I could just give an example from my own family, maybe I should not use it, but I do not think they will mind. But I have very young children, 4½, 3, and one that is only 6 months old. The only person that smokes in my household is my mother-in-law who comes to visit from time to time, and she is wonderful. She is always trying to cut back on her smoking and I think in the last 3 or 4 months she has not smoked at all.

But when the kids first started to be aware of it they started to emulate her. They love her. She is a wonderful woman. And we would see my youngest daughter like this, going around with the cigarette. So my wife decided this is not good. We have to deglamorize this.

What my mother-in-law decided to do was that whenever she smoked, she would go down in the basement. And the kids associated smoking with being in the basement and it was not a nice place to be. In a while it was deglamorized. After a while they would start saying, "cigarettes are bad" and "smoking is bad." They started to associate it with a bad habit, so to speak.

There are ways to get this across. We cannot take a defeatist attitude. And if we think about the President's proposals where he wants a public education program, also the restricted access of tobacco products, the kids would have a harder time buying them in terms of access behind the counter and that type of thing, all of these things can really make a difference.

Sometimes people ask me, "What are you going to do?" These things make a difference, raising the price, making it more difficult to have access, and basically conducting a public education program to make tobacco look bad.

□ 2045

Of course, you need to do it overseas as well because you know it is going to expand overseas.

Mr. DOGGETT. I think quite clearly you need to give the Food and Drug Administration, which deals with other kinds of harmful substances, lethal substances, the authority to do what it needs to do with reference to nicotine because it is such a deadly drug. It is responsible for so many lost lives.

But I think about the personal example you gave, and I believe that tomorrow

morning there will be so many people around America taking car pools, as I used to do when my daughters were a little younger, and you go by at any high school in America almost, and at too many middle schools, the smoking corner. And you see bright young people with tremendous potential out there and realize that what we are talking about here in Washington, when we talk about hundreds of thousands or millions of people, they are Jane and Tom and Sally and Bill that are down there on the corner tomorrow when you see them on the way to taking the kids to school, or passing by a school on the way to work. It is their future that is at stake here.

The thought that tomorrow, and the day after that, and every day this year 3,000 young, bright people with so much potential will become addicted each day to nicotine, and that all of us working collectively here could do something about it, that is why we are here tonight talking. That is what is at stake, the lives of bright, creative young people getting misdirected in their youth on to something that stays on their backs forever and leads to their premature death and illness and destruction of them as an individual, and tremendous harm to their family, and limiting the potential of what they can give back to their community. There is just so much at stake here.

I think we have to keep pressing Speaker GINGRICH that even though he may have these commitments to the campaign contributors, and he may feel that the person who has been a public health leader should be called a thug, and these other kind of outrageous statements; that Joe Camel does not have anything to do with our young people smoking; that despite all that, we have no choice but to keep saying we will not take no for an answer; that we are demanding a full and complete debate about the most comprehensive bipartisan public health effort we can have to reduce the danger to those young people.

Mr. PALLONE. There is no question. And I suppose another concern that I have, too, we have our work cut out for us, because we have the Republican leadership now saying that they are not going to go along with anything meaningful here, and we are going to have to do a lot of work to counteract the advertising campaign that the tobacco industry is going to begin soon.

But it is also important that we not let Speaker GINGRICH and the Republican leadership get away with some sort of cosmetic legislation here that really has no impact on youth smoking. We have to be very careful with that.

Mr. DOGGETT. It would be consistent with what they did on campaign finance; coming up with some phony proposal probably written by some tobacco companies, and paid through their high-paid lobbyists here. Some kind of complete subterfuge, as they

tried in blocking campaign finance reform. We cannot let that happen with reference to the health of our children.

Ms. DELAURO. We are some of the luckiest people in the world. We have an opportunity. We have an opportunity being here, that is how I view what we do, to truly try to make a difference in people's lives. And we are given a trust mandate, if you will, from the people who send us here. They say, protect our interests.

You may not be able to do everything, but we give you our trust; we give you our vote to take there and to protect our interests. Part of those interests, a substantial part of those interests are the children of this country, the families that we represent. And I think if we do not take this opportunity to try to help in some way to make a difference in good public policy in this country, it is there, and the people are there; the majority of the people are there. We should not be thwarted by the will of a few who are prospering and their own self-aggrandizement is at stake rather than thinking about the interests of those young people that we all go to see, and we tell them how wonderful it is to be a Member of Congress, and all the things you can do as a Member of Congress. And if we do not do this, take this opportunity to protect our kids from smoking, the Speaker of the House is culpable and those that do not want to move forward on this are culpable. I do not believe they should go to a school again and represent to children that we are here to protect their interests because we will just have sold their interests out to the highest bidder. That is the danger that lies here in the next few weeks.

Mr. DOGGETT. I know from your service on the Committee on Appropriations that we expend millions of taxpayer dollars to investigate the causes of various kinds of illnesses and diseases in America to try to improve health. Here is one that we know what the cause is. We know that nicotine addiction is the leading cause of preventable illness in America today.

We do not need any more research to find that out. In fact, some of the most powerful research was done by the tobacco companies, hidden by them, hidden by them for years, but we now finally have it. And having that, if we cannot on this leading and most obvious cause do something about it, then I think we really are shirking our responsibilities.

Mr. PALLONE. I agree. I think we are about to run out of time. I just want to thank both of you for participating in this special order tonight, and the main thing we are sending a message: The recess is over. We are back. We have gotten the message from Speaker GINGRICH that he does not want to move on this tobacco settlement. We are sending the message back to the Republican leadership that that is not acceptable to us as Democrats, and that we are going to keep fighting

and keep bringing this up until they agree to move meaningful tobacco legislation.

Mr. DOGGETT. We cannot let this Congress run out of time without responding on the leading public health challenge our young people face.

Mr. PALLONE. If that is all we accomplish this year, it will be a lot.

REQUIRING A TWO-THIRDS VOTE TO RAISE TAXES

The SPEAKER pro tempore (Mr. HULSHOF). Under the Speaker's announced policy of January 7, 1997, the gentleman from Texas (Mr. BARTON) is recognized for 60 minutes as the designee of the majority leader.

Mr. BARTON of Texas. Mr. Speaker, it is my privilege this evening to speak to the Members of this body about a vote that we are going to have tomorrow morning, tomorrow afternoon to amend the Constitution requiring a two-thirds vote of the House and the Senate to raise taxes or broaden the tax base.

The exhibit to my left shows the first 1040 income tax form, which was first used in 1914, over 83 years ago. If you look, look down the form, you can see that you paid a tax of 1 percent on income over \$20,000, 1 percent. And if you had income over \$50,000, you paid an additional, you paid 2 percent.

If you had income over \$75,000, you paid 3 percent. If you had income over \$100,000, you paid 4 percent. If you had income over \$250,000, you paid 5 percent. If you had income, net income, not gross income, over \$600,000, you paid 6 percent.

Less than 1 out of 100 American citizens had to pay any income tax the first year this 1040 form was used. Today, that is not the case. The marginal tax rate has gone up to over 40 percent. That is an increase of 4,000 percent.

If we could see the next chart, this is a chart that is through 1995, so it is actually about 3 years old now, but you can see back in 1955, the tax as a percent of income for two-income families was 27.7 percent. By 1965, it had gone up about 2 percent to a little over 29 percent. Ten years later, 1975, it had skyrocketed to 37 percent. And since that time, it has been between 37, and in 1995, it was 38.2 percent. This year, the latest year that we have numbers on, which we do not have a chart for, it is right at 39 percent. So almost 40 percent of two-earner family income is going to pay their taxes.

What does this mean? It means that the average worker is spending almost 3 hours out of every working day simply to pay Uncle Sam's taxes. For food, clothing, necessities, they spend 2 hours and 32 minutes. For the tax man, they spend 2 hours and 47 minutes, and for all other expenses, they spend 2 hours and 41 minutes. So we actually spend more time working to pay the tax man than we do to provide food, clothing and shelter for our families.

What would a two-thirds vote mean in the real world of voting here in Washington, D.C.? It means in the House of Representatives it would take 29 votes if all Members were present and voting for a tax increase. It means in the Senate, it would take 67 votes instead of the current 51 votes in the Senate and 218 votes in the House.

In the real world what that means is not too many tax increases would pass. In fact, of the last five major tax increases that we have had here on the House floor and over in the Senate, only one of them would have passed; 1982, 16 years ago, there was a Tax Equity and Fiscal Responsibility Act of 1982, passed the House with 52 percent. It passed the Senate with 52 percent. That was \$214 billion in taxes would not have been collected. That one would have failed.

In 1987, we had the Omnibus Budget Reconciliation Act, which was a \$40 billion tax increase. It passed in the House with 57 percent. It passed in the Senate with 62 percent. A little bit closer to the two-thirds vote, but it did not get to the two-thirds vote so it would have failed.

In 1989, we did have a tax increase that would have passed muster under the two-thirds vote for a tax increase. Only \$25 billion, but it did pass the House with 68 percent of the vote, just barely passing the two-thirds vote necessary; the Senate, 93 percent. That one for \$25 billion additional tax dollars on the American people would have become law.

In 1990, we had a \$137 billion tax increase. It passed the House with 53 percent and the Senate with 55 percent, \$137 billion; it would have failed.

Most recently, in 1993, the big Clinton tax increase passed the House by two votes, 218 to 216, so that is 50.2 percent, and in the Senate it passed 51 to 49. That one would have failed. So the last five major tax increase votes we have had going back over 16 years, only one, in 1989, would have passed the two-thirds muster. So the tax burden on the American people would have been lower by a little over \$800 billion.

Supermajority would protect taxpayers from unnecessary tax increases. As I said earlier, the last big tax increase vote that we had, the 1993 Clinton tax increase, would have failed.

You may be asking yourself, this is a good idea in theory, but does it really work? Well, the answer is, it does really work. The States are using supermajority votes to require tax increases. There are 14 States, and I have got them listed here on this chart, and they have various measures requiring tax increase.

In 1992, the State of Arizona passed a State constitutional amendment for all tax increases that says if you want it to pass, it has to get a two-thirds vote in the Arizona legislature. Back in 1934, over 60 years ago, the State of Arkansas where our current President was Governor before he became President, passed a three-fourths vote requirement for any tax increase.