

clear—there's a great deal to be said for that. Their product has destroyed lives.

But if we act not unilaterally, but instead approve a comprehensive solution, then we can harness all our efforts in the interest of the public good. And we can hold the tobacco companies accountable for helping reduce teen smoking.

CONCLUSION

Mr. President, America's attention is engaged by a children's health crisis caused by tobacco and illegal drugs. This is a rare and unique opportunity for us here in the Congress to create some positive change—change that will save lives. We owe it to the American people to write tobacco legislation that represents the best thinking on what will really work to get kids to turn away from tobacco and illegal drugs, and toward a more promising future. I will continue to work throughout our legislative process to make sure the bill we pass lives up to what the American people deserve.

I hope the President of the United States will become more involved in this struggle. This, frankly, is an issue of great national importance—one that cries out for Presidential leadership.

Mr. President, even after we pass a bill in the Senate, there will still be a lot of work left to be done on this legislation—and frankly and candidly, it won't get done until everybody sits at the table and gets ready for some heavy lifting.

This includes the leadership of the Senate and the House, of course, and also the President of the United States. The President can make a huge difference in this process once he becomes fully engaged.

Finally, Mr. President, I remain optimistic that we can pass a strong and comprehensive bill, not just to reduce teen smoking but also teen drug use. Last year's settlement through the States' attorneys general and tobacco companies has given us a once-in-a-lifetime opportunity.

As this legislation moves through Congress, I believe we have to stay focused. We have to stay focused on the issue of saving children's lives. Let's vow to put together comprehensive legislation that really works. Let's do it now. And let's get it done. Mr. President, it will not be easy.

I again congratulate the majority leader for his leadership and for his courage in bringing this bill to the floor.

I congratulate all who have worked on this bill and other bills—Senator McCAIN, who has worked on this bill and brings this bill to the floor; Senator HATCH and others who have worked on other bills and other approaches. We are all going to have the opportunity next week to have our shot. We are all going to have our opportunity to work to try to fashion a good bill.

The main thing, however, is that we keep the process moving, that we keep

it moving in the Senate, that we pass a bill that is comprehensive, that is practical, that we send it on to the House of Representatives, and ultimately then get it into a conference committee and to the President of the United States.

Frankly, it is only going to be at that time that tough, tough decisions are ultimately going to be made and that the package will finally be put together. But if we do not do our work in the Senate, if we do not keep the process moving, then we will have missed this historic opportunity. So the ball is in our court beginning next week. I fully expect the Senate to take up the bill, and I expect us to do what is in the best interests of our children and in the best interests of the future of this country.

I thank the Chair and I yield the floor.

Mr. President, at this point I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ASHCROFT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. SESSIONS). Without objection, it is so ordered.

Mr. DASCHLE. Mr. President, might I inquire as to the nature of the proceedings of the Senate.

The PRESIDING OFFICER. The Senate is conducting morning business. Senators are recognized for 5 minutes each.

Mr. ASHCROFT. Mr. President, I ask unanimous consent I be allowed to speak for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

TOBACCO

Mr. ASHCROFT. Mr. President, I rise today to have the opportunity of commenting on a matter which is a matter of great discussion in Washington and around the country. It is the so-called tobacco settlement. I say "so-called" because I think this is more about taxes than it is about tobacco. It is more about big government than it is about teen smoking. This is a measure of the magnitude of which obscures most of the things we have considered for a long time, at least those things considered in my time in the U.S. Senate.

Now, Washington may be entering a new era of surplus politics, but its inhabitants have yet to reject the sentiment that was expressed by King Henry IV nearly 600 years ago. He put it this way: You have gold and I want gold. Where is it? Well, that may be something that really describes America right now because this measure which is flying under the flag of the tobacco settlement is really a massive tax increase on the people of this great country.

This tax increase would total about \$860-some billion—that is the original

bill before it went to the Finance Committee. I don't know whether the increase from \$1.10 to \$1.50 a pack added in the Finance Committee is even reflected in those figures. We are talking about an \$800 billion increase in taxes and it will be focused on people who make less than \$30,000 a year. These are hard-working families, generally families with small children, at the beginning of their earning potential in life. To focus \$860 billion in new taxes on those individuals is a very serious question.

As a matter of fact, that kind of serious question of \$860 billion in new taxes and then about 17 new boards, agencies, commissions, et cetera, in government to spend the money is so obvious a question that I objected to moving to this bill very expeditiously, very rapidly. It looked to me like there was going to be a rush to try and get into this bill, and we would somehow be asked to have consideration of this bill which was not thorough and did not have the kind of complete debate and dialog which I think the Senate of the United States ought to have, and which I think we were created to have.

The founders of this great country said that the Senate of the United States was like the saucer; the cup was the House, and it was supposed to be a place where there were hot passions and emotions, but you spill things over into the saucer. It is a place where things cool. You should have the time to look at things carefully in the U.S. Senate. You should have the capacity to thoroughly discuss things. There should be open discussion. We have had a policy and a heritage in this great body of making sure that all the anticipatable consequences and results and affects of a particular proposed policy could be understood and debated and discussed here.

If I have the assurance that that is the strategy which we will pursue, that it will be a Senate strategy of complete discussion, that we will not unduly or inappropriately limit the kinds of amendments which are offered, that we are going to have an open discussion, that we are not going to rush in and impose cloture to stampede the Senate to a conclusion in what is a pretty highly charged and emotional area, then I have no objection to proceeding. I wouldn't object to proceeding to this bill unless I thought it was going to be something that was a must-do project and that the definition of "discussion" would be someone's time objective rather than a quality objective. The ultimate objective that we should have when we are discussing things in the U.S. Senate should be the quality of our output, not whether or not we want to get home for a vacation or take a break.

My own view is that I really do not want to stand in the way of this particular measure being considered, but I don't want anything to stand in the way of this measure being considered thoroughly, and that there be a full opportunity to provide debate, and that

there be the potential for amendment which is thorough, which would provide the opportunity for alternatives so if we want to reach our real objective of somehow curtailing the adverse impacts of cigarettes on the young people of America, we wouldn't be locked in to some narrow set of agreements or agencies or taxes, but that we would think carefully about how it is done.

I simply want to say and make clear my position that while I did oppose a unanimous consent to move to this bill, I am not locked into a position of saying we should not consider tobacco. If I believed that we have an opportunity to consider the so-called tobacco settlement fully and thoroughly and fairly in the great tradition of the Senate, then I am more than willing to proceed to consideration of this matter.

As a matter of fact, I would like to begin the discussion of the matter today talking about some of the things that I think are most difficult about this bill, and perhaps I think ought best be characterized as unwise. The Federal budget surplus is likely to exceed \$45 billion this year, and you wonder why Congress would be considering massive new taxes if we are finally in a place of surplus. You would think we should be debating how to give money back to the American people instead of taking more money from the American people.

When our decision is to take money from the American people, our decision is basically that they can't spend it as wisely on their families as we can spend it on their families. After all, the families of America are what we are spending our resources on one way or the other. If we believe we are so much smarter than they are for meeting the needs of their family, we should take the money from them and spend it. But if we have a good awareness that American families know what they need and how to spend their money better than we can spend it on them, we ought to let American families have their resources to spend on themselves.

There are some things that have to be done collectively. We know about those things—certain law enforcement functions, national defense, certain government programs—but the never-ending explosion of taking the resources from families, suggesting that we have better things to do with that money than families do, is a presumption in which I will not imagine and I certainly will not persist.

I intend to fight to kill any tobacco bill that contains a tax increase of the magnitude being considered.

When you are talking about over \$800 billion for smokers, for example, the tax that will be imposed against them and on them as a result of this bill will be 50 times greater—50 times greater—than the tax relief we gave them last year. I am not a person who has chosen to smoke, and I am not a person who is associated with the tobacco industry. I don't know of a single smoker in my

family. It hasn't been in my family. It wasn't in my father's family. We were taught that tobacco was evil from day one. Speaking of old-time English kings, King James warned citizens of England hundreds of years ago that tobacco was bad for their health. I think people have known it. I don't think it is sneaking up on anybody. I think most Americans know that tobacco is not good for you. If you are close to someone who is smoking and you start choking, I think you understand that this stuff is not good for you. We know the pollutants contained in the byproducts of combustion, smoke, are bad even if you are just walking down a city street and get too many diesel fumes from a bus. So it is not a matter of not knowing.

The question is, Are we going to have a tobacco bill that taxes the American people at an incredibly high level—\$860 billion-plus in new taxes—and that says to a fellow who chooses to smoke, in spite of what he knows, that, well, the kind of tax that you are going to pay is 50 times greater than any relief we have given you previously? This is a massive tax increase that will be inflicted on those who are least able to pay. Some estimates suggest that this tobacco bill would increase taxes by over \$860 billion. This development of 17 new responsibilities in Government—for boards, commissions, or agencies, or, I suppose—and I hear there is a proposal now to take the formal boards, commissions, agencies out and allow them to be created not in the statute but by department heads on their own later on, so we would sort of fly the commissions, boards, and agencies below the radar screen of the American people.

The truth is, if you are going to spend \$860 billion, you are going to have bureaucrats do it. Over 5 years, the hike would increase taxes \$109 billion, more than erasing the entire effect of the measure of the tax relief we provided last year. Of course, I will mention that 60 percent of those who would be paying these taxes earn less than \$30,000 a year. That really means these are, in many cases, young couples, couples with children. They are going to be bearing the burden of this tax increase. The Finance Committee came up with the idea that these taxes be increased by \$1.50 a pack for cigarettes. Now, if you have a young family with a mother who smokes one pack a day and the father smokes two, that is \$4.50 a day that the Government would be taking from that family. Over the course of a month, I think that is \$140 a month, and 12 times 14, if my math serves me correctly, would be close to \$1,600 a year. Now, that is serious. That is very serious. In my judgment, we have to think carefully about that kind of tax increase.

Mr. President, maybe you will do the math for me. I was doing that math in my head, so it may not be \$1,600; it may be more than \$1,600. I think it would be.

But the point is, this is a massive tax increase on people. What about the children in those families? The whole presumption of this idea that we can collect the \$868 billion is that people are so addicted, they can't stop, so we will tax them. In spite of the fact that taxes are going up, there is going to be persistent use. On one hand, they say these taxes are going to keep people from smoking. On the other hand, they put a lot of money in the budget saying people won't be able to stop smoking and therefore we will get the money. It seems to me there is a little tension between these two arguments. It is a massive tax increase. It seems to me the only thing more addictive than nicotine is taxing and spending in the Congress.

People are going to say this is about teenage smoking, but this bill doesn't even make teenage smoking illegal in Washington, DC. This doesn't make teenage smoking illegal or unlawful in the Capitol or in the Senate office buildings. We are talking about what kind of messages we want to send to our teenagers. This Congress, the U.S. Senate, has never cared enough about the role modeling it does to forbid smoking in the in the U.S. Capitol or in the Senate office buildings. We are up here saying we are going to try and stop teenagers from smoking, and we stand around—I don't—and we don't stop smoking, we don't curtail smoking. We provide incentives. We make sure there are plenty of ashtrays. If you want to use the stairs in our buildings, that is where they put the ashtrays. If you need to draw a deep breath after four or five flights of stairs, you can be sure that because of our policy we will have a role model there smoking for you.

If we are really serious about teen smoking, there are other things to do other than raising taxes by \$868 billion. If Washington gets its way, excise taxes will increase by \$1.50 a pack. Now, my view is that this is not the kind of tax increase I was sent here to be involved in—an \$868 billion increase on the taxes of the working people in this country. This is not what Republicans were sent here to do.

Lots of Republicans are fond of talking about Ronald Reagan. Well, people who make less than \$30,000 a year frequently—some of them are Republicans, but some are what we call Reagan Democrats. Ronald Reagan was understood by those people to care for them, and he was understood by those people to be sensitive to their plight. They were called Reagan Democrats because of it. This is a tax increase that is aimed right at Reagan Democrats. It will take the money and resources right out of their pockets, send it to Washington, keep them from being able to spend it on their own families.

Taxes are at an all-time high. Never before in the history of this country have taxes been so high. Just last week, on May 10, was tax freedom day

this year. That means the average citizen had to work until May 10 in order to pay their taxes. The rest of the year, he or she can work for his or her family. What a deal. And we are going to add \$868 billion to that burden? Pretty soon, we will be working more for the Government than for our families. If we think Government ought to be a bigger influence in this culture than families, I think we are sadly mistaken. Whether we succeed or fail in the next century is dependent on good, strong families. If moms and dads and families do their job, governing America will be easy. But if moms and dads and families can't do their job, governing America will be impossible. We cannot make it impossible for families to do the job that families ought to do in this country.

Total taxes as a share of total income have reached an all-time high in the United States of America. When I was born, in 1942, taxes as a share of the total income amounted to 21.1 percent. That was during the war—the big war, WW-II. Yet, that was 21.1 percent as a total share of income. We are approaching twice that much now. We are over 35 percent as a total share of income. It is time for us to come to the conclusion that if families are important in this country, leaving them with some of the money they earn is important, and an \$860 billion-plus tax increase would be inappropriate.

Today, the median two-income family can expect to pay 37.5 percent of its income in Federal, State, and local taxes—37.5 percent. Three-eighths—3 out of every 8 days are devoted to paying the Government. It is getting worse. Taxpayers are working longer, harder than ever before to pay their taxes. It is time for us to think carefully about providing relief, rather than a massive increase in taxes.

The proposed tobacco bill is nothing more than an excuse for Washington to raise taxes and spend more money on new Federal programs. I will fight to kill any tobacco tax bill that contains a tax increase of the magnitude being considered. I didn't come here, and I don't think we were sent here, to have a massive raid on the families of America and their ability to provide for the needs of their families. What we are talking about is a cut in pay for Americans. We cut their pay by taking it when they earn it. I just do not think a pay cut for American families is what is needed at this moment. I think this country knows that if there is a cut anywhere, it should be a cut in Government, not a cut in families. I think we have to understand that is what we are talking about. So I urge my colleagues to oppose this legislation, which is a massive tax increase. It is a tax burden focused on those making less than \$30,000 a year. The vast majority of the taxpayers who will pay the \$860-plus billion will be people making less than \$30,000 a year. I think of the kids of those moms and dads, who are both working and blue-collar folks, that

they want to be able to do well by and do well for. We plan to tax them with the most, the lion's share of the burden of an \$868 billion tax increase.

I reiterate again my position. I rose to object to moving to this bill when I thought we might be moving to it in haste; and that our consideration of the bill might be limited and compressed and inappropriately telescoped. It might be drawn together in such a way that we wouldn't have a thorough opportunity to debate this. It could be that I am wrong. With proper assurance that we would have the kind of full range of Senate debate, with the complete opportunity for amendment and that we will not be clotured so as to preclude the kind of debate that is necessary and appropriate in this respect, I don't mind moving forward to this issue. As a matter of fact, I wouldn't object to moving forward to the issue. We must, however, consider this issue based on its merits and not based on a schedule or convenience. This is too important an issue and too substantial a set of stakes for us to ignore the kind of full debate that the Senate rightfully should provide.

It is with that in mind that I rise to oppose this measure and to indicate my position on considering the measure. I hope when we have the opportunity to debate this measure fully, we will be able to see that a tax increase of that magnitude is not in the best interest of the American people. It is not in the best interest of the future of America. It is not a measure that really augurs well for the children of America. It is really a big government extension of the heavy hand of government in the pocketbooks of American families.

Thank you, Mr. President, for this opportunity.

I yield the floor.

Mr. INHOFE addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I want to be recognized for a unanimous consent request.

Before I do that, let me commend the junior Senator from Missouri. He is right on target. I would like to share with him that in the last 2 weeks I had over 20 town hall meetings in the State of Oklahoma. In not one meeting did anyone bring up this thing and initiate the discussion. I think this is really a beltway issue. When I brought it up and told them about the massive tax increase—the largest single tax increase, with the stroke of one pen that this results in—they were all very, very much against it. I think some people will try to use this as somehow a way to stop children from smoking when, in fact, it would not stop children from smoking.

Mr. ASHCROFT. I thank the Senator from Oklahoma.

Mr. INHOFE. Mr. President, I ask unanimous consent that at the conclusion of the remarks of the distinguished Senator from Oregon that I be recognized for as much time as I may consume as if in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. SMITH of Oregon. Mr. President, I ask unanimous consent that Lourdes Agosto be allowed floor privileges while I provide these remarks today.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL PEACE OFFICERS MEMORIAL DAY

Mr. SMITH of Oregon. Mr. President, I rise today in recognition of National Peace Officers Memorial Day, a day to commemorate and acknowledge the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers.

The men and women who serve this Nation as our guardians of law and order do so at great personal risk. There are very few communities in the United States that have not been touched by the senseless death of a police officer.

In Oregon we have seen our share of loss. In January in a standoff between the Portland police and a man with a high-powered SKS military rifle, Colleen Waibel, a 17-year veteran of the Portland Police Bureau, was shot and killed. Two other officers, Kim Keist and Sgt. James Hudson, were wounded in that same standoff. In July of last year, Thomas Jeffries, a Portland police officer, was shot and killed. In 1984, a Washington County sheriff's deputy, Robert Talburt, also died in the line of duty.

Mr. President, because of the dedication and sacrifice of our Nation's police officers, our communities are safer and our children have a better chance of receiving their education in a crime-free environment.

Today, more than 15,000 peace officers are expected to gather in our Nation's Capital, together with the families of their recently fallen comrades. The National Peace Officers Memorial Day provides our country an opportunity to show these public servants that their efforts on our behalf and those of their fallen comrades are greatly appreciated.

To the surviving families of those officers who have paid the ultimate price, this day will show that their sacrifice will always be remembered.

Mr. President, I am a proud cosponsor of Senate Resolution 201 designating May 15, 1998, as National Peace Officers Memorial Day. I urge my colleagues to join Senator KEMPTHORNE, myself, and others, in recognizing this important day.

I thank the President.

I yield the floor.

Mr. INHOFE addressed the Chair.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, first, I would like to say to the Senator from