

FEBRUARY 5, 1996.

Hon. NANCY L. KASSEBAUM,
*Chairwoman, Committee on Labor and Human
Resources, U.S. Senate, Washington, DC.*

Hon. EDWARD M. KENNEDY,
*Ranking Member, Committee on Labor and
Human Resources, U.S. Senate, Washing-
ton, DC.*

DEAR SENATORS KASSEBAUM AND KENNEDY: I am writing to urge you to schedule hearings in your Committee on recent disclosures about the health effects of tobacco products and the nicotine contained in them. I believe that recent legal tactics by the tobacco industry have led to the suppression of vital public health information about Congress. Consequently, Members of Congress have had to rely on leaks and incomplete information concerning the health effects of tobacco and nicotine. It would be an enormous service to Congress for your Committee to hold comprehensive hearings on this matter because there are at least 42 bills affecting the growth, sale and promotion of tobacco products pending before Congress.

1995 was a year full of revelations about the tobacco industry and the content of its cigarettes. There were various articles on allegations of nicotine manipulation by tobacco companies. Despite this trickling out of information on the dangers of tobacco, there were two infamous incidents in 1995 that set dangerous precedents.

First, Philip Morris sued Capital Cities/ABC for \$10 billion over its report that this tobacco giant "spiked" its cigarettes with nicotine. R.J. Reynolds later filed a similar lawsuit against Capital Cities/ABC. These two companies pressured Capital Cities/ABC to settle these suits despite the fact that its story appeared to be factually supported by interviews and internal company documents.

Second, the CBS news program 60 Minutes canceled an interview with a former Brown and Williamson tobacco executive due to fears of a lawsuit, even though its reporters believed in the accuracy of the interview and the reporting. While CBS has subsequently agreed to air this piece, it apparently has done so only because of a recent leak in the Wall Street Journal involving the same former executive.

These two episodes have sent a chilling message to the media about reporting new information on the health consequences of tobacco. If these two major broadcast networks are intimidated by these tobacco companies, then smaller news organizations would seem to face even greater challenges in reporting important stories on the health effects of tobacco and nicotine. The mere threat of legal action will likely force the suppression of critical information on tobacco and nicotine from being reported in the press and subsequently used by Members of Congress. Therefore, it appears that the only way that Congress will be able to get complete information on the health effects of tobacco and nicotine is if your Committee holds comprehensive hearings.

I know that you will conduct balanced hearings and I fully expect that you would include witnesses from all points of view, including representatives of the tobacco industry. This will allow Congress, and the American people, to hear all sides and be fully informed about the health effects of tobacco and nicotine. This will also allow Congress to consider pending legislation affecting tobacco in a well educated manner.

Thank you for your consideration of this request. I would be happy to work with you so that these hearings can be held as soon as possible.

Sincerely,

FRANK LAUTENBERG.

ORDERS FOR RECONVENING OF THE SENATE

Mr. DOLE. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in recess until the hour of 11 a.m. on Friday, February 9, and that following the prayer there be a period for morning business not to extend beyond the hour of 1 p.m. with the time to be equally divided between the two parties, and that following the use or yielding back of the morning business time the Senate automatically stand in recess until Tuesday, February 13, at 10:30 a.m. for a pro forma session only, and that immediately following convening, the Senate stand in recess until 10:30 a.m. on Friday, February 16 for a pro forma session only, and that immediately following convening that day the Senate stand in recess until 11 a.m. on Tuesday, February 20, 1996, and that following the prayer there be a period for routine morning business not to extend beyond the hour of 1 p.m. with the time to be equally divided between the two parties, and that following the use or yielding back of time the Senate automatically stand in adjournment until 11 a.m. on Friday, February 23, 1996.

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

Mr. DOLE. I further ask unanimous consent that following the prayer on Friday, February 23, the Journal of proceedings be deemed approved to date, no resolutions come over under the rule, the call of the calendar be dispensed with, the morning hour be deemed to have expired, and the time for the two leaders be reserved for their use later in the day, and there then be a period for morning business not to extend beyond the hour of 1 p.m. with the time equally divided between the two parties, and that following the use or yielding back of time, morning business be closed and the Senate then turn to the conference report to accompany the District of Columbia appropriations bill, and the conference report be considered as read.

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

Mr. DOLE. On Friday, February 23, the Senate will conduct a period for morning business, and following morning business it will be the majority leader's intention to file a cloture motion on the District of Columbia appropriations conference report. Therefore, votes will not occur on Friday, February 23.

It will be the majority leader's intention to set the cloture vote on the D.C. appropriations conference report for Tuesday, February 27, 1996, at 2:15 p.m.

I further ask that when the Senate completes its business on Friday, February 23, it stand in recess until 3 p.m. on Monday, February 26; that immediately following the prayer, Senator AKAKA be recognized to read Washington's Farewell Address. It will be the leader's intention to then recess following the address until 11 a.m. on Tuesday, February 27, 1996.

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

ORDERS FOR TUESDAY, FEBRUARY 27, 1996

Mr. DOLE. I further ask that when the Senate completes its business on Monday, February 26, it stand in recess until 10 a.m. on Tuesday, February 27, and that following the prayer there be a period for the transaction of morning business not to extend beyond the hour of 10:30 a.m., with Senators permitted to speak for up to 5 minutes each.

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

Mr. DOLE. I further ask that at 10:30 a.m., there be 2 hours to be equally divided in the usual form for debate with respect to cloture on the D.C. appropriations conference report.

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

Mr. DOLE. I ask that the Senate stand in recess between the hours of 12:30 p.m. and 2:15 p.m. on Tuesday, February 27, in order for the weekly party conferences to meet.

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

Mr. DOLE. Again, for the information of all Senators, the first rollcall vote will occur at 12:15 on Tuesday, February 27, 1996, and that vote will be a cloture vote with respect to the D.C. appropriations conference report.

ACCOMPLISHMENTS OF THE SENATE

Mr. DOLE. Mr. President, let me indicate that I think we have accomplished a great deal this year in the Senate, and we will accomplish a great deal more. Normally there is a period of recess for Lincoln's birthday so Republicans can go out and do whatever they do during that week, and then there is a later period of a week for Democrats.

I regret that we could not adjourn the Senate to accommodate many members of the staff who will now be required probably to stay here, because if we take a look at last year, we came in early in January and stayed throughout the year with hardly any breaks. I am not complaining about that, but those are the facts. I should know. I think we may have set records with the number of votes and the number of hours in session. It was truly a remarkable year, and we accomplished a great deal. We have a great deal more to do this year. I regret that we were unable to just recess. There will be no votes until February 27, and perhaps members of the staff whom I am looking at now can work out some little time to have some relaxation and rest because they certainly deserve it. We have had long sessions. We have been in late at night and some of us were here during the holidays negotiating with the President trying to work out a budget agreement. We do not have it yet.