

lawsuits and negotiations. Good luck with your amendment and thank you for your efforts.

Sincerely,

JEREMIAH W. (JAY) NIXON,  
Attorney General.

Mr. LAUTENBERG. Mr. President, if the product liability bill passes in its current form, the tobacco industry will get what it wants, and the American public will receive nothing in return. As reported out of the Commerce Committee, the product liability bill will cap punitive damages and eliminate joint and several liability in tobacco liability cases. This would be another sweetheart deal for big tobacco, and it would undercut the state attorneys' general. This is unacceptable. And what will America lose if we don't pass my amendment? Mr. President, I say perhaps millions of lives.

The tobacco industry is on the verge of agreeing to stop marketing to American children, to stop lying and hiding the truth from the American public, to commit to actual target numbers for reduction of teen smoking, to subject themselves to appropriate regulation by the Food and Drug Administration and to back real reforms that will put teeth into laws that prohibit the sale of cigarettes to kids. Do we in Congress want to throw that away forever? Do we want to give big tobacco the green light to continue seducing and addicting our children? I certainly hope not.

Mr. President, that is why it is critical that we pass my amendment, which would exempt tobacco products from the restrictions on liability covered by the product liability bill. Regardless of how any Senator feels about the overall goals of the product liability bill, exempting tobacco is the right thing to do. We should not sell out our Nation's public health to the tobacco lobby. Congress should not provide the tobacco industry with a back door deal through the product liability bill. To prevent this from happening, we must attach my amendment.

Mr. President, some of my colleagues might ask: "Why should we give tobacco litigation a carve-out from the restrictions of this bill?" The answer is simple and rather straightforward: The tobacco industry is unlike any other American industry. No other industry in this country kills over 400,000 Americans each year. No other industry has conspired to deviously addict children to its product. No other industry has submitted such highly questionable testimony to Congress and the courts. Is this Congress prepared to undercut unprecedented public health programs and give the tobacco industry the sweetheart deal they have been dreaming of? Is Congress going to bail out the industry once again? The American people won't tolerate it.

Mr. President, this Senator will do everything I can to prevent that from happening. I ask my colleagues to join me in support of this effort to remove tobacco litigation from the restrictions of the product liability legislation. It

is the right thing to do for the public health, for our State's highest law enforcement officials, and most important, for our kids.

#### AUTHORITY FOR COMMITTEES TO MEET

##### COMMITTEE ON ARMED SERVICES

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet in executive session to markup S. 450, the National Defense Authorization Act for Fiscal Years 1998 and 1999.

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

##### COMMITTEE ON FOREIGN RELATIONS

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, June 12, 1997, at 2 p.m. to hold a markup/business meeting.

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

##### COMMITTEE ON GOVERNMENTAL AFFAIRS

Mr. LOTT. Mr. President, I ask unanimous consent on behalf of the Governmental Affairs Committee to meet on Thursday, June 12, at 4 p.m. for a business meeting.

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

#### ADDITIONAL STATEMENTS

##### REAR ADM. AUDREY F. MANLEY

• Mr. FRIST. Mr. President, I rise today to recognize and honor the Deputy Surgeon General and Acting Surgeon General of the U.S. Public Health Service [USPHS], Rear Adm. Audrey F. Manley, as she retires upon completion of more than 20 years of faithful service to our Nation on July 1, 1997.

Upon her retirement Rear Admiral Manley will be leaving both the positions of Deputy Surgeon General, which she has held since February 1994, and Acting Surgeon General, which she has held concurrently since January 1995. She has served in each of these capacities with dedication and distinction as a principal Federal health advisor to the Nation on public health matters; advisor to the Assistant Secretary for Health on policy matters pertaining to the USPHS; and leader for approximately 6,200 active duty members of the Commissioned Corps of the USPHS.

Rear Admiral Manley, a native of Jackson, MS, graduated from Spelman College in Atlanta, GA. She received her medical education at Meharry Medical College in Nashville, TN, and was awarded a master of public health degree from Johns Hopkins University School of Hygiene and Public Health. Her training includes an internship at St. Mary Mercy Hospital in Gary, IN, a residency at Cook County Children's Hospital in Chicago, IL, and various fellowship, research, and teaching experiences. She has also held positions

on the faculties of several medical schools.

Rear Admiral Manley became a member of the Commissioned Corps in 1976. Included among her many assignments are Director of Genetic Services, Bureau of Maternal and Child Health, Deputy Associate Administrator for Planning, Evaluation, and Legislation, and Associate Administrator for Clinical Affairs, Health Resources and Services Administration [HRSA]. In 1987, she was appointed Director of the National Health Service Corps, a HRSA component that furnishes primary health care providers to medically underserved communities throughout the country. In 1989, Rear Admiral Manley became the Principal Deputy Assistant Secretary for Health, working with the Assistant Secretary in providing leadership and support across the full spectrum of PHS policy and operational issues. She assisted in directing the eight agencies of the USPHS with a combined budget of \$22 billion and 45,000 employees. She was designated Acting Assistant Secretary for Health from January 1993 to July 1993. In July 1993, prior to assuming her current responsibilities, Rear Admiral Manley was named Deputy Assistant Secretary for Intergovernmental Affairs, where she was responsible for 10 PHS Regional Offices and the Office of Emergency Preparedness. In this role she was the principal PHS officer responsible for coordinating the USPHS response to Hurricanes Andrew and Inikki, and Typhoon Omar; the Mississippi flood of 1993; the Los Angeles civil unrest (1991) and the Northridge earthquake of 1994.

Rear Admiral Manley's awards as a member of the Commissioned Corps include the PHS Meritorious Service Medal, the PHS Commendation Medal, the PHS Unit Commendation Award, the Surgeon General's Exemplary Service Medal, the PHS Distinguished Service Medal, and the Hildrus Poindexter Award. She has also received numerous honors and awards from a wide variety of outside organizations.

Mr. President, Rear Admiral Manley has truly been a great credit to the Commissioned Corps and the Public Health Service throughout her career. I know that my colleagues are personally aware of her dedicated service to her country, especially during the 2-years plus in which she provided critical leadership as the Nation's Acting Surgeon General. It gives me great pleasure to recognize Rear Adm. Audrey F. Manley and, along with my colleagues, to wish her a fond farewell as she concludes a distinguished career in the Commissioned Corps of the U.S. Public Health Service and assumes duties as the next president of Spelman College.●

#### EMPLOYMENT NON-DISCRIMINATION ACT

• Mrs. MURRAY. Mr. President, I am very pleased to join with my colleagues