

4 weeks on a single piece of legislation, but it is not very often, obviously.

Mr. President, I think the point here is that we have been 3 weeks debating this bill. We have debated many aspects of it, some aspects of it, in the case of attorneys' fees, more than once, and that may be revisited again. But let us look at what we have done. We have provided critical funding for ground-breaking health research to find new treatment and cures for killer diseases including cancer and heart and lung diseases. These initiatives obviously are supported on both sides of the aisle. It includes assistance to our Nation's veterans who suffer from smoking-related illness.

Mr. President, I thought one of the least laudatory things that took place in the ISTEA process was that we basically, at least at one point, declared that veterans who smoked while they were in the service were guilty of gross misconduct. I still find that unbelievable, since we all know that veterans and members of the Armed Forces were encouraged to smoke. Tobacco was provided along with meals—smoke breaks. We all know that smoking was encouraged. In this bill, now we are going to earmark \$3 billion to try to treat veterans who have incurred tobacco-related illnesses. I think that is very important, that they receive that assistance. I think it has to be one of our highest priorities.

We have included a major antidrug effort to attack the serious threat posed by illegal drugs, both through prevention education as well as interdiction. By the way, that is a Republican amendment, a conservative amendment, and one that was approved by both sides of the aisle because of the importance that the American people feel is associated with illegal drugs.

It now contains one of the largest tax decreases in many years, a nearly \$200 billion tax cut that would eliminate the marriage penalty for low- and moderate-income Americans and achieve 100 percent deductibility of health insurance for self-employed individuals. I think most of us on both sides of the aisle believe the marriage penalty is unfair and that low-income Americans should be the first ones to receive relief. We think it is unfair for companies and corporations to have tax deductibility for their health care insurance yet individuals do not.

I think it is important that we understand, also, when we are talking about taxes on the American people, that today \$50 billion of America's tax dollars go to treat tobacco-related illnesses, almost \$455 per taxpaying household in every year. It provides the opportunity to settle 36 pending State cases collectively, efficiently, and in a timely fashion.

I also want to mention again, some are of the impression that if this bill leaves the floor of the Senate, it disappears—as some, I am told, especially in the other body, would like to see happen. But there would still be 37

States that go to court. There will still be enormous legal fees. There will still be incredibly high settlements. In Minnesota, it was a \$6.5 billion settlement, which was \$2.5 billion above what was agreed to in the June 20 agreement. Just a few days ago, an individual won a court case that included punitive damages. There are literally thousands and thousands of cases lined up to go to court. Mr. President, those who believe that somehow this issue will not go on—the question is: Where does it go on? Does it go on in every courtroom in America?

Does it go on in States, 37 of them now—and I cannot imagine the remaining 10 of the 40 that did not enter into agreement between the attorneys general and the industry will not join sooner or later. Would that not continue, in fact would that not accelerate? The attorneys general tell me they are just waiting to see what we do.

There is a settlement in Mississippi. There is a settlement in Florida. There is a settlement in Minnesota. They entail billions and billions of dollars. What about the tax? According to reliable publications, the price of a pack of cigarettes just went up 5 cents because of the Minnesota settlement. Does anyone believe that when they make these massive payments the cost is not passed on to the consumer?

So I want to remind everybody, we are coming up on a crucial week. It is hard for me to imagine that we would continue on this legislation for very much longer. We can either move forward to a conclusion, because we have addressed most of the issues—the farm issue is still out there and we need to get a reasonable resolution of it—but for the life of me, I do not know of another major issue associated with this legislation. There may be substitutes that refine it, or even change it substantially, but the general outlines of the legislation we all know. So we are either going to move forward and cloture will be invoked, which puts us on autopilot to completion, or we will not.

I am not an expert on tobacco. I am not an expert on public health, nor have I ever claimed to be. I claim some expertise on national defense and security issues. I claim some expertise on telecommunications, aviation—other issues. I don't claim expertise on this. But I was asked by the leadership to move a bill through the Commerce Committee. We did, with a 19 to 1 vote. Then the majority leader scheduled the bill to come to the floor. I did not. I didn't make the scheduling decisions. Obviously, since the legislation went through the committee which I chair, I am the manager of this bill. I do not seek any sympathy for the fact that I have been criticized by both sides of the political spectrum rather severely, including a \$100 million, so I am told, tobacco advertising campaign. But I do believe that all of us have the right to expect now to move to a conclusion to this issue. That conclusion is either a

final passage or, somehow, the bill leaves the floor—although I am not sure my friends on the other side of the aisle would do so with alacrity.

But if the decision is made, or if we are unable to move forward, please, let no one be under the illusion that the issue is going away if it leaves the floor of the U.S. Senate. There will be a myriad of lawsuits. There will be incredible activity in the courts of America. And to those who are concerned about lawyers getting rich, I guarantee, they will get a lot richer under those circumstances than under ours. But that doesn't bother me. The thing that bothers me is, if we do not move forward, as I mentioned the other day, there are winners and losers; and the winners will, obviously, be the tobacco companies. They will have gotten a significant return from their \$100 million ad campaign. The losers may be me, maybe even the Senator from Massachusetts, but the real losers will be the children of America.

Today, 3,000 kids start smoking. One thousand of them will die early. Tomorrow, the same, and the next day, the same, and it is on the rise. We will address, as a nation, the issue of tobacco and the issue of kids smoking. There is no doubt of that in my mind, because of the obligation we have. It is a question of how, and when. By moving this legislation forward, we can do it sooner rather than later. I am more than willing to stay on this floor all summer, if necessary. But I do not think we can afford to do that, because of the compelling legislation that we have to achieve legislative results on by the beginning of October when, there is no doubt in my mind, given the fact that it is an even-numbered year, we will go out of session.

So I urge all of my colleagues to recognize that we are now reaching a point, next week, where we either have to move forward or not. I will abide by the will of the majority and what the leadership on both sides of this body decide. I will regret it, obviously, if we do not move forward. But I also will far, far more regret the effect that it will have on the children of America.

I note the presence of my friend from Massachusetts as well as the Senator from Rhode Island, and I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, morning business is now closed.

NATIONAL TOBACCO POLICY AND YOUTH SMOKING REDUCTION ACT

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of S. 1415, which the clerk will report.

The legislative clerk read as follows:

A bill (S. 1415) to reform and restructure the processes by which tobacco products are