

tobacco related and thereby provide it back to the veterans' program next year and the year after.

The CHAIRMAN. The Committee will rise informally.

The SPEAKER pro tempore (Mr. LAHOOD) assumed the Chair.

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ENROLLED BILLS SIGNED

The SPEAKER pro tempore. The Chair lays before the House the following enrolled joint resolution and Senate bills.

H.J. Res. 101. Joint resolution recognizing the 225th birthday of the United States Army.

S. 761. An act to facilitate the use of electronic records and signatures in interstate or foreign commerce.

S. 2722. An act to authorize the award of the Medal of Honor to Ed W. Freeman, James K. Okubo, and Andrew J. Smith.

The SPEAKER pro tempore. The Committee will resume its sitting.

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DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2001

The Committee resumed its sitting.

Mr. MORAN of Virginia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, decades of deceit by the tobacco industry has caused Federal taxpayers to spend billions for smoking-related illnesses.

The Justice Department is seeking recovery of these funds, as well as injunctive relief to stop the companies from marketing to children and engaging in other deceptive and illegal practices. They need to be able to have the resources for that suit. Now, the beneficiaries of that suit would be the Departments of Health, Education and Welfare, or the Health Care Financing Administration, who has spent so much money on Medicare and Medicaid reimbursement for tobacco-related illnesses, and the Veterans Administration, because so many thousands of veterans have suffered and died from tobacco-related illnesses.

This amendment would say that the Veterans Administration cannot move this money to the Justice Department to prosecute these cases. The idea, the reason, the motivation is so that this suit cannot go forward.

The Veterans Administration spends \$4 billion a year treating tobacco-related illnesses. We passed a law, the Medical Care Recovery Act, that says that any costs recovered by the Justice Department would be returned to the Veterans Administration. They desperately need that money. Why would we not seek that money from what is the source, the cause of much of that suffering and death?

This rider is wrong. It should not have been attached to this bill. For decades, tobacco companies have deliberately misled Americans regarding

the risks and the harmful effects of smoking while 400,000 people have died each year from tobacco-related illnesses.

As recently as 1998, within the last 2 years, the chairman of Phillip Morris testified under oath and said, I am unclear in my own mind as to whether anybody dies from cigarette smoking-related illnesses. That man is an intelligent, otherwise responsible man, so he must have been deliberately trying to deceive the court and the American people.

In my mind, there can be no other conclusion. That is not tolerable. If this Congress is not willing to reimburse the Veterans Administration for the costs of this deception, then we should do it for the 3,000 teenagers who start smoking every day, at least for the 1,000 who will die because they did.

This amendment should be supported. It is the right thing to do.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think there is no better term for this rider of which the Waxman amendment addresses than the smoke and mirrors rider, the misrepresentation rider, the distortion rider. The legislation to prohibit a legitimate litigative approach to re-deeming billions and billions of dollars or at least millions and millions of dollars that have been utilized by this government in its various medical care accounts to treat tobacco-related illnesses.

It is long overdue. Now, one might read this particular rider as an amendment that is on a white horse, a good amendment, a good rider, because it seems to suggest that the bad guys are trying to take minimally \$4 million out of VA, and that money would impact or take away from caring for the veterans of this Nation. That is why it is the smoke and mirrors rider, and that this amendment to strike of the gentleman from California (Mr. WAXMAN) clarifies and tells the truth.

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In actuality, this amendment is taking or striking monies that the administration had already designated in a VA litigation account, separate and apart from any dollars dealing with the medical needs of our veterans, and this amendment specifically states that there would be no provision that would take the \$4 million out of any of the accounts that would deal with VA health care. Plain and simple.

What this rider does not say is that its basic initiative is to be hand and glove with the tobacco industry. Its basic premise is to ensure that this government does not rightly have the opportunity to engage in legitimate litigation in the courts of law to re-deem the funds that have been paid, hundreds of billions of dollars, as we have paid in Medicare, Medicaid and VA health needs, because people have been injured and have been ill and even

died from tobacco-related injuries or illnesses.

It is interesting to note that this is \$4 million which we talk about, but yet we find the Department of Veterans Affairs and the Department of Defense have spent \$4 billion and \$1.6 billion respectively per year treating tobacco-related illnesses.

Now, Mr. Chairman, you would think that that dwarfs this simple process which the administration has designed to rightly have the Department of Justice secure from HHS, Health and Human Services, the Department of Veterans Affairs and other agencies that would rightly benefit from the refund of dollars gained by prevailing litigation that says we have been wrongly required to pay for these needs of these particular citizens who have fallen ill, and, now, after determining the untruthfulness of the executives of the tobacco company who represented that tobacco was not addictive and then were found out and who have, in certain instances, settled these cases and, in other instances, lost in courts of law in various States, such as the settlement we have and the litigation in the State of Florida.

How can we then deny the opportunity for this amendment to prevail in order to allow this litigation to go forward? Do we know what else is damaging and happening? Do we realize that 430,000 of our citizens die prematurely because of tobacco use? Do we realize the number of children, about 5 million children, that smoke in the United States, and each day another 3,000 become regular smokers, and, of these children, one-third will eventually die from tobacco-related causes?

Mr. Chairman, it is high time now to get rid of these kinds of false debates on the floor of the House and the smoke and mirror riders that are put on legislative bills and appropriation bills that are passing through this House. We have seen many of them undermine the intent and purpose of good will.

We need the dollars to pursue this litigation. We need to recoup the enormous dollars we have lost in treating these terribly ill people and those that have died and lost their battle with cancer and other illnesses, and we need to stop this misrepresentation of plucking dollars out of the VA-HUD under the pretense that we are denying veterans health care. What we are actually doing is lifting up their health care opportunities.

This is a bad rider. This is a good amendment, and I support the Waxman amendment. Let us eliminate this bad language.

Mr. Chairman. I rise to speak out against this most recent attempt to undermine the ability of the Department of Justice to recover the potentially hundreds of billions of dollars paid by American taxpayers to treat tobacco-illnesses.

Evidently, contained within H.R. 4635 are legislative provisions that would block the continuance of current federal tobacco litigation.