

with, but similar to free-base nicotine, may be either because this nicotine reaches the brain in a different chemical form, or because it reaches the brain more quickly."

Tobacco industry scientists were well aware of the effect of pH on the speed of absorption and on the physiologic response. A 1973, 1973 R.J. Reynolds report stated, "Since the unbound nicotine is very much more active physiologically and much faster acting than bound nicotine, the smoke at a high pH seems to be strong in nicotine."

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Therefore, the amount of free nicotine in the smoke may be used for at least a partial measure of the physiologic strength of the cigarette."

Indeed, Mr. Speaker, Phillip Morris commenced the use of ammonia in their Marlboro brand in the mid 1960s in order to raise the pH of its cigarettes, and it subsequently emerged as the leading national brand.

By reverse engineering, other manufacturers caught onto Phillip Morris' nicotine manipulation. And they copied it. The tobacco industry hid the fact that nicotine was an addicting drug for a long time, even though they privately called cigarettes "nicotine delivery devices."

Claude E. Teague, Junior, assistant director of research at RJR, said in a 1972 RJR memo, "In a sense, the tobacco industry may be thought of as being a specialized, highly ritualized and stylized segment of the pharmaceutical industry. Tobacco products uniquely contain and deliver nicotine, a potent drug with a variety of physiologic effects. Thus, a tobacco product is, in essence, a vehicle for the delivery of nicotine designed to deliver the nicotine in a generally acceptable and attractive form. Our industry is then based upon the design, manufacture, and sale of attractive forms of nicotine."

A 1972 Phillip Morris document summarized an industry conference attended by 25 tobacco scientists from England, Canada, and the United States: "The majority of conferees would accept the proposition that nicotine is the active constituent of tobacco smoke. The cigarette should be conceived not as a product, but as a package." Then they said, "The product is nicotine."

Mr. Speaker, does anyone believe that the tobacco CEOs who testified before Congress that tobacco was not addicting were telling the truth?

Mr. Speaker, most adult smokers start smoking before the age of 18. This political cartoon shows big tobacco over here lighting up one cigarette from the other, and one cigarette says, "Victims" and the other cigarette that is about ready to start is "Kids." The title of the cartoon: "Chain smoker."

As I said, Mr. Speaker, most adult smokers start smoking before the age of 18. That has been known by the tobacco industry and its marketing divi-

sions for decades. A report to the board of directors of RJR on September 30, 1974, entitled "1975 Marketing Plans Presentation, Hilton Head, September 30, 1974," said that one of the key opportunities to accomplish the goal of reestablishing RJR's market share was to "increase our young adult franchise. First, let's look at the growing importance of this young adult group in the cigarette market. In 1960, this young adult market," and this is the clincher, what did they call the young adult market, young adult? The 14 to 24 age group.

They say, "This represented 21 percent of our population. They will represent 27 percent of the population in 1975, and they represent tomorrow's cigarette business."

An adult, Mr. Speaker? They are 14-year-olds, pretty young adults. In a 1980 RJR document entitled "MDD Report on Teenager Smokers Ages 14 Through 17," a future RJR CEO G.H. Long wrote to the CEO at that time, E.A. Horrigan, Junior.

In that document, Long laments the loss of market share of 14-to-17-year-old smokers to Marlboro, and says, "Hopefully, our various planned activities that will be implemented this fall will aid in some way in reducing or correcting those trends." The trends were they were losing market share in the 14-to-17-year-old age group.

Mr. Speaker, the industry has indisputably focused on ways to get children to smoke: in surveys for Phillip Morris in 1974 in which children 14 or younger were interviewed about their smoking behavior; or how about the Phillip Morris document which bragged, "Marlborough dominates in the 17 and younger category, capturing over 50 percent of this market."

Mr. Speaker, when Joe Camel is associated with cigarettes by 30 percent of 3-year-olds and nearly 90 percent of 5-year-olds, we know that marketing efforts directed at children are very successful.

Here is another political cartoon. We have a billboard. It says, "Joe Camel says, cancer is cool." We have an antismoking advocate saying, "Huh, not exactly the honest disclosure we were hoping for."

Mr. Speaker, children that begin smoking at age 15 have twice the incidence of lung cancer as those who start smoking at the age of 25. For those youngsters who start at such an early age and have twice the incidence of cancer, for them Joe Cool becomes Joe Chemo, pulling around his bottle of chemotherapy.

If that is not enough, it should not be overlooked that nicotine is an introductory drug, as smokers are 15 times more likely to become an alcoholic, to become addicted to hard drugs, or to develop a problem with gambling.

Mr. Speaker, in response to this, the Food and Drug Administration in August of 1996 issued regulations aimed at reducing smoking in children on the basis that nicotine is addicting, it is a

drug, manufacturers have marketed that drug to children, and tobacco is deadly. Most people by now are familiar with those regulations. They received a lot of press at the time. It is hard to think, Mr. Speaker, that 4 years have gone by since those regulations came out.

Those regulations said, tobacco companies would be restricted from advertising aimed at children, that retailers would need to do a better job of making sure they were not selling cigarettes to children, that the FDA would oversee tobacco companies' manipulation of nicotine.

But the tobacco companies challenged those regulations, and they ended up taking it all the way to the Supreme Court. Just 2 weeks ago, Justice Sandra Day O'Connor, in writing for the majority, five to four, held that Congress had not granted the FDA authority to regulate tobacco.

However, her closing sentences in that opinion bear reading: "By no means do we," and this is the Supreme Court, "question the seriousness of the problem that the FDA has sought to address. The agency has amply demonstrated that tobacco use, particularly among children and adolescents, poses perhaps the most significant threat to public health in the United States."

Justice O'Connor is practically begging Congress to grant the FDA authority to regulate tobacco. Therefore, Mr. Speaker, tomorrow the gentleman from Michigan (Mr. DINGELL) and I will introduce our bipartisan bill The FDA Tobacco Authorities Amendment Act. I call on my colleagues from both sides of the aisle to cosponsor this bill and join us for a press conference on the Triangle at noon.

Our bill simply says that FDA has authority to regulate tobacco, that the 1996 tobacco regulations will be law. This is not a tax bill. This is not a liability bill. This is not a prohibition bill. This has nothing to do with the tobacco settlement from the attorneys general.

This bill simply recognizes the facts: tobacco and nicotine are addicting. Tobacco kills over 400,000 people in this country each year. Tobacco companies have and are targeting children to make them addicted to smoking. The FDA should have congressional authority to regulate this drug and those delivery devices.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. McNULTY) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.
Mr. KILDEE, for 5 minutes, today.
Mr. BARCIA, for 5 minutes, today.
Mr. CROWLEY, for 5 minutes, today.

Mr. HOYER, for 5 minutes, today.

Ms. STABENOW, for 5 minutes, today.

Mr. KIND, for 5 minutes, today.

Mr. SMITH of Washington, for 5 minutes, today.

Mr. BLUMENAUER, for 5 minutes, today.

Mr. MORAN of Virginia, for 5 minutes, today.

Mr. BERRY, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.

(The following Members (at the request of Mr. FOSSELLA) to revise and extend their remarks and include extraneous material:)

Mr. NORWOOD, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, April 12.

Mr. METCALF, for 5 minutes, today.

Mr. MANZULLO, for 5 minutes, April 6.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. DAVIS of Illinois, for 5 minutes, today.

ADJOURNMENT

Mr. GANSKE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 40 minutes p.m.), the House adjourned until tomorrow, Thursday, April 6, 2000, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6949. A letter from the Administrator, Farm Service Agency, Department of Agriculture, transmitting the Department's final rule—Amendments to Regulations Governing the Peanut Quota and Price Support Programs (RIN: 0560-AF61) received February 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6950. A letter from the Congressional Review, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Pink Bollworm Regulated Areas [Docket No. 00-009-1] received February 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6951. A letter from the Chief, Programs and Legislation Division, Office of Legislative Liaison, Department of Defense, transmitting notification that the Commander of General Mitchell Air Reserve Base (ARB), Wisconsin has conducted a cost comparison of the Base Operating Support functions, pursuant to 10 U.S.C. 2461; to the Committee on Armed Services.

6952. A letter from the Secretary, Department of Housing and Urban Development, transmitting reports required by section 520 (a) and (b) of the Multifamily Assisted Housing Reform and Affordability Act of 1997; to the Committee on Banking and Financial Services.

6953. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report involving U.S. exports to Mexico, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Banking and Financial Services.

6954. A letter from the Director, Office of Management and Budget, transmitting the

OMB Cost Estimates For Pay-As-You-Go Calculations; to the Committee on the Budget.

6955. A letter from the Attorney Advisor, National Highway Traffic Safety Administration, Department of Transportation, transmitting the Department's final rule—Anthropomorphic Test Dummy; Occupant Crash Protection [Docket No. NHTSA-2000-6940] (RIN: 2127-AG66) received February 29, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6956. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Hazardous Waste Management System; Identification and Listing of Hazardous Waste [SW-FRL-6541-1] received February 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6957. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Secondary Aluminum Production [FRL-6513-8] (RIN: 2060-AE77) received February 22, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6958. A letter from the Special Assistant to the Bureau Chief, Mass Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Mitchell, Nebraska) [MM Docket No. 99-164 RM-9598] (Lovelock, Nevada) [MM Docket No. 99-165 RM-9599] (Elko, Nevada) [MM Docket No. 99-166 RM-9600] received February 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6959. A letter from the Legal Advisor, Cable Services Bureau, Federal Communications Commission, transmitting the Commission's final rule—Implementation of the Cable Television Consumer Protection and Competition Act of 1992 [CS Docket No. 98-82] Implementation of Cable Act Reform Provisions of the Telecommunications Act of 1996 [CS Docket No. 96-85] Review of the Commission's Cable Attribution Rules—received February 23, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

6960. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report on PLO compliance, pursuant to Public Law 101-246, section 804(b) (104 Stat. 78); to the Committee on International Relations.

6961. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

6962. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 13-512, "Sense of the Council Opposition to the Attorney General of the United States Seeking in the Death Penalty for Crimes Committed in the District of Columbia Emergency Resolution of 2000" received April 5, 2000, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

6963. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's report entitled "Competing for Federal Jobs: Job Search Experience of New Hires," pursuant to 5 U.S.C. 1204(a)(3); to the Committee on Government Reform.

6964. A letter from the Chairman, Merit Systems Protection Board, transmitting the Twenty-first Annual Report on the activities of the Board during Fiscal Year 1999, pursuant to 5 U.S.C. 1206; to the Committee on Government Reform.

6965. A letter from the Administrator, National Aeronautics and Space Administration, transmitting the calendar year 1999 report on contractual actions to facilitate the national defense, pursuant to 50 U.S.C. 1431; to the Committee on Government Reform.

6966. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Delisting of the Dismal Swamp Southeastern Shrew (*Sorex longirostris* fisheri) (RIN: 1018-AF00) received February 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6967. A letter from the Deputy Assistant Administrator For Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Fishery of the Gulf of Mexico; Amendment 16A; OMB Control Numbers [Docket No. 981229328-9249-02; I.D. 120998C] (RIN: 0648-AK31) received February 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6968. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Closures of Specified Groundfish Fisheries in the Gulf of Alaska [Docket No. 000211039-0039-01; I.D. 021400D] received February 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6969. A letter from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Final 2000 Harvest Specifications for Groundfish [Docket No. 000211039-0039-01; I.D. 111899A] received February 24, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6970. A letter from the Marshal of the Court, Supreme Court of the United States, transmitting the Annual Report of the Marshal of the Supreme Court; to the Committee on the Judiciary.

6971. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace: Leonardtown, MD [Airspace Docket No. 99-AEA-13.FR] received February 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6972. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace: Fredericktown, MO [Airspace Docket No. 99-ACE-47] received February 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6973. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace: Marshalltown, IA [Airspace Docket No. 99-ACE-52] received February 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6974. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Establishment of Class E Airspace; Okeechobee, FL [Airspace Docket No. 99-ASO-21] received February 11, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6975. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29928;